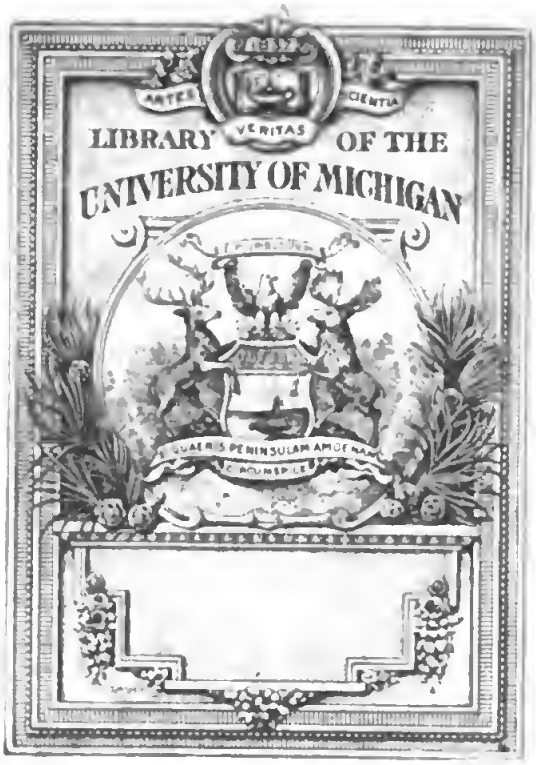
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JOURNAL

OF THE

EXECUTIVE PROCEEDINGS

OF THE

SENATE

OF THE

UNITED STATES OF AMERICA

FROM DECEMBER 2, 1867, TO MARCH 3, 1869, INCLUSIVE.

VOL. XVI.

PRINTED BY ORDER OF THE SENATE OF THE UNITED STATES.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1887.

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,

June 28, 1886.

Resolved, That the entire Executive Journal of the Senate, from the 23d February, 1829, the date to which the said proceedings have already been printed and published by order of the Senate, be printed, to the end of the last session of the Fortieth Congress, under the direction of the Secretary of the Senate, with a copious and comprehensive index to each volume, and that one hundred copies thereof be printed.

Resolved, That until the further order of the Senate the said print shall not be made public.

Attest: ANSON G. McCOOK,

Secretary.

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JOURNAL OF THE PROCEEDINGS OF THE UNITED STATES SENATE IN EXECUTIVE SESSION.

[Fortieth Congress, second session, commencing December 2, 1867.]

WEDNESDAY, DECEMBER 4, 1867.

The following messages were received from the President of the United States, by Mr. Johnson, his secretary:

To the Senate of the United States:

I nominate John E. Mulford to be collector of internal revenue for the 3d district of Virginia, he having been designated during the recess of the Senate to perform the duties of that office, in place of William James, suspended for misconduct in office.

ANDREW JOHNSON.

WASHINGTON, D. C., *Dec. 2d*, 1867.

To the Senate of the United States:

I nominate Edward T. Wood to be collector of internal revenue for the 3d district of New York, he having been designated during the recess of the Senate to perform the duties of that office, in place of T. C. Callicott, suspended for misconduct in office.

ANDREW JOHNSON.

WASHINGTON, D. C., *Dec. 2d*, 1867.

To the Senate of the United States:

I hereby nominate John G. Bond, first lieutenant in Revenue Cutter Service, to be captain in said service.

ANDREW JOHNSON.

EXECUTIVE MANSION, *December 3d*, 1867.

To the Senate of the United States:

I hereby nominate Frank Barr, first lieutenant in Revenue Cutter Service, to be captain in said service.

ANDREW JOHNSON.

EXECUTIVE MANSION, *December 3d*, 1867.

To the Senate of the United States:

I hereby nominate for officers of the Revenue Cutter Service, the following persons, namely:

For chief engineer.

Levi Coit, promoted from first assistant engineer, vice George W. Jones, deceased.

279538

For first lieutenants.

George W. Bailey, promoted from second lieutenant, to be first lieutenant, vice Henry H. Andrews, resigned.

Charles A. Abbey, promoted from second lieutenant, to be first lieutenant, vice Edward S. Dickinson, deceased.

The following third lieutenants to be promoted to second lieutunants viz:

Joseph K. Kelson, vice George Riley, deceased.
Frederick M. Munger, vice Jas. C. Hanson, resigned.
M. Grant Woodward, vice G. W. Bailey, promoted.
Henry L. Bennet, vice C. A. Abbey, promoted.

To be third lieutenants, viz:

(New appointments.)

Walter Walton, vice I. K. Kelson, promoted.
Wm. C. Coulson, vice T. M. Munger, promoted.
Richard Canfield, vice M. G. Woodward, promoted.

ANDREW JOHNSON.

EXECUTIVE MANSION, *December 3d*, 1867.

To the Senate of the United States:

I nominate Lemuel D. Evans to be collector of internal revenue for the 4th district of Texas, he having been appointed during the recess of the Senate, in place of D. B. Bonfoey, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 2, 1867.

To the Senate of the United States:

I nominate Jacob Carmany to be assessor of internal revenue for the 10th district of Pennsylvania, to fill a vacancy existing since the close of the second session of the 39th Congress.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 4. 1867.

To the Senate of the United States:

I nominate David M. Mills to be assessor of internal revenue for the district of Dakota Territory, he having been appointed during the recess of the Senate, in place of E. C. Collins, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *December 2d*, 1867.

To the Senate of the United States:

I nominate J. Warren Bell to be collector of customs for the district of Brazos de Santiago, in the State of Texas, in place of R. L. Robertson, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *December 2d*, 1867.

To the Senate of the United States:

I nominate James W. Hancock to be collector of customs for the district of Saluria, in the State of Texas, he having been appointed during the recess of the Senate, in place of Charles Taylor, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *December 2d*, 1867.

To the Senate of the United States:

I nominate John J. Godfrey to be collector of customs for the district of St. Mary's, in the State of Georgia, he having been appointed during the recess of the Senate, in place of John J. Rudolph, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *December 2d*, 1867.

To the Senate of the United States:

I nominate Oscar Minor to be collector of customs for the district of Texas, he having been appointed during the recess of the Senate, in place of Lorenzo Kent, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *Dec. 2d*, 1867.

To the Senate of the United States:

I nominate William I. Clark to be surveyor of the customs for the port of Saybrook, in the State of Connecticut, he having been appointed during the recess of the Senate, in place of Giles Blague, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *Dec. 2d*, 1867.

To the Senate of the United States:

I nominate Edmund Cooper to be Assistant Secretary of the Treasury, in place of William E. Chandler, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *Dec. 2d*, 1867.

To the Senate of the United States:

I nominate John S. Walton to be treasurer of the branch mint at New Orleans, in the State of Louisiana, he having been designated during the recess of the Senate to perform the duties of that office, in place of Wm. R. Whitaker, suspended. (The papers relating to the suspension of Mr. Whitaker were transmitted to the Senate with the nomination of Mr. Walton as assistant treasurer at New Orleans, July 13, 1867.)

ANDREW JOHNSON.

WASHINGTON, D. C., *Dec. 2d*, 1867.

To the Senate of the United States:

I nominate Noah L. Jeffries to be Register of the Treasury, he having been appointed during the recess of the Senate, in place of S. B. Colby, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *Dec. 2d*, 1867.

To the Senate of the United States:

I nominate First Lieutenant William J. Squires to be a captain in the Marine Corps, from the 29th of August, 1867, vice Captain William H. Hale, deceased.

Second Lieutenant Israel H. Washburn to be a first lieutenant in the Marine Corps, from the 29th of August, 1867, vice First Lieutenant William J. Squires, nominated for promotion.

ANDREW JOHNSON.

WASHINGTON CITY, 2 *December*, 1867.

To the Senate of the United States:

I nominate Passed Assistant Surgeon Adolph A. Hoehling to be a surgeon in the Navy, from the 2d of October, 1867, vice Surgeon Henry F. McSherry, deceased;

William S. Bowen, of Rhode Island, to be an assistant surgeon in the Navy, from the 22d of July, 1867, to fill a vacancy;

Adam Frank, of Pennsylvania, to be an assistant surgeon in the Navy, from the 26th September, 1867, to fill a vacancy; and

Alfred Griffith, of Maryland, to be an assistant surgeon in the Navy, from the 16th October, 1867, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON CITY, *2d December*, 1867.

To the Senate of the United States:

I nominate Assistant Paymaster Joseph Tuster to be a passed assistant paymaster in the Navy, from the 10th May, 1867, vice Passed Assistant Paymaster F. C. Imlay, whose appointment has been revoked; and

Assistant Paymaster Edward N. Whitehouse to be a passed assistant paymaster in the Navy, from the 6th of September, 1867, vice Passed Assistant Paymaster J. W. Fairfield, deceased.

ANDREW JOHNSON.

WASHINGTON CITY, *2d December*, 1867.

To the Senate of the United States:

I nominate Captain Theodore P. Green to be a commodore in the Navy on the active list, from the 24 July, 1867, vice Commodore T. A. Hunt, transferred to the retired list;

Commodore Egbert Thompson to be a captain in the Navy on the active list, from the 24 July, 1867, vice Captain T. P. Greene, nominated for promotion;

Lieutenant-Commander Francis H. Baker to be a commander in the Navy on the active list, from the 24th July, 1867, vice Commander E. Thompson, nominated for promotion; and

Lieutenant-Commander Austin Pendergrast to be a commander in the Navy on the active list, from the 31st of August, 1867, vice Commander George W. Young, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *2d December*, 1867.

To the Senate of the United States:

I nominate Edwin J. Klopfer, John C. Cox, and John H. Goddard to be justices of the peace in and for the county of Washington, District of Columbia.

ANDREW JOHNSON.

EXECUTIVE MANSION, *Dec'r* 4, 1867.

To the Senate of the United States:

I transmit for consideration, with a view to ratification, a treaty between the United States and His Majesty, the King of Denmark, stipulating for the cession of the islands of St. Thomas and St. John, in the West Indies.

ANDREW JOHNSON.

WASHINGTON, *December* 3, 1867.

To the Senate of the United States:

I transmit for consideration, with a view to ratification, a treaty of friendship, commerce, and navigation, between the United States and the Republic of Nicaragua, signed at the city of Managua on the 21st day of June last. This instrument has been framed pursuant to the amendments of the Senate of the United States to the previous treaty between the parties of the 16th of March, 1859.

ANDREW JOHNSON.

WASHINGTON, *3d December*, 1867.

The messages were read.

Ordered, That the nominations of John E. Mulford, Edward T. Wood, Lemuel D. Evans, Jacob Carmany, David M. Mills, Edward Cooper, John S. Walton, and Noah L. Jeffries be referred to the Committee on Finance.

Ordered, That the nominations of John G. Bond, Frank Burr, Levi Coit and others, J. Warren Bell, James W. Hancock, John J. Godfrey, Oscar Minor, and William J. Clark be referred to the Committee on Commerce.

Ordered, That the nominations of William J. Squires, Israel H. Washburn, Adolph A. Hoehling and others, Joseph Foster, Edward N. Whitehouse, and Theodore P. Green and others, be referred to the Committee on Naval Affairs.

Ordered, That the nominations of Edwin J. Klopfer, John C. Cox, and John H. Goddard be referred to the Committee on the District of Columbia.

The treaty between the United States and His Majesty the King of Denmark, stipulating for the cession of the islands of St. Thomas and St. John, in the West Indies, was read the first time.

On motion by Mr. Sumner,

Ordered, That the said treaty be referred to the Committe on Foreign Relations and, together with the message, be printed in confidence for the use of the Senate.

The treaty of friendship, commerce, and navigation, between the United States and the Republic of Nicaragua, signed at Managua on the 21st June, 1868, was read the first time.

On motion by Mr. Sumner,

Ordered, That the said treaty be referred to the Committee on Foreign Relations and, together with the message, be printed in confidence for the use of the Senate.

FRIDAY, DECEMBER 6, 1867.

Mr. Cattell, from the Committee on Finance, to whom was referred, the 4th of March, inst., the nomination of Jacob Carmany, reported favorably thereon.

Mr. Morgan, from the Committee on Finance, to whom was referred, the 4th instant, the nomination of John S. Walton, reported favorably thereon,

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Chandler, from the Committee on Commerce, to whom was referred, the 4th instant, the nomination of J. Warren Bell, reported adversely thereon.

MONDAY, DECEMBER 9, 1867.

The following messages were received from the President of the United States, by Mr. Johnson, his secretary:

To the Senate of the United States:

I nominate Francis W. Boyle to be assessor of internal revenue for the 12th district of Pennsylvania, to fill a vacancy existing since the close of the second session of the Thirty-ninth Congress.

ANDREW JOHNSON.

WASHINGTON, D. C., *December 5th*, 1867.

To the Senate of the United States:

I nominate Daniel Dennett to be collector of customs for the district of Teche, in the State of Louisiana, to fill a vacancy existing since the war.

ANDREW JOHNSON.

WASHINGTON, D. C., *Dec. 4th*, 1867.

To the Senate of the United States:

I nominate William L. Stanford to be local appraiser of merchandise for the port of New Orleans, in the State of Louisiana, to fill a vacancy existing since the end of the second session 39th Congress.

ANDREW JOHNSON.

WASHINGTON, D. C., *Dec'r 4th*, 1867.

To the Senate of the United States:

I nominate Michael C. Duffiey, of California, to be register of the land office at Marysville, California, vice Leonard B. Ayer, rejected.

ANDREW JOHNSON.

WASHINGTON, D. C., *December 7th*, 1867.

To the Senate of the United States:

I nominate James Lynch, Michael P. Callan, and E. L. Corbin to be justices of the peace in and for the county of Washington, District of Columbia.

ANDREW JOHNSON.

EXECUTIVE MANSION, *December* 6, 1867.

To the Senate of the United States:

I nominate for appointment into the Navy of the United States the following-named officers from the Volunteer service, they having been examined with others by a board of officers, convened under authority of an act of Congress, approved July 25, 1866, and by said board found to be "the most meritorious in character, ability, professional competency, and honorable service," the officers so appointed to take rank from the 25th of July, 1866, the date of the passage of the act, and to rank next after officers of the Regular Navy of same date, and in the order herein named:

To be lieutenants.	Present or late rank.
N. Mayo Dyer	Acting Volunteer lieutenant.
F. M. Green	Acting Volunteer lieutenant.
Edward Hooker	Acting Volunteer lieutenant-commander.
H. H. Gorring	Do.
A. W. Muldaur	Acting master.
Joseph S. Cony	Late acting master.
Charles O'Neil	Acting Volunteer lieutenant.

To be masters.	Present or late rank.
Edward S. Keyser	Acting Volunteer lieutenant.
Thomas Nelson	Acting master.
De Witt C. Kells	Acting Volunteer lieutenant.
Felix McCurley	Do.
John McGowan	Acting master.
G. C. Schulze	Do.
E. H. Miller	Acting ensign.
Henry C. Nields	Acting master.
Thomas F. Wade	Acting Volunteer lieutenant.
J. G. Green	Acting master.
George E. Wingate	Acting ensign.
George R. Durand	Acting Volunteer lieutenant.
Charles A. Schetky	Acting ensign.
John K. Winn	Acting Volunteer lieutenant.
Thomas M. Gardner	Acting master.
Charles H. Rockwell	Do.
C. M. Anthony	Do.
*George F. Wilkins	Do.

* Nominated in pursuance of the last clause of the 3d section of the act, his position in his grade to be determined upon examination after his return to the United States.

To be ensigns.	Present or late rank.
H. M. Grinnell	Acting Volunteer lieutenant.
N. B. Willetts	Late acting master.
Gilbert Morton	Do.
Wm. P. Randall	Do.
J. J. Brice	Do.
Fred. Ang. Miller	Do.
W. H. Mayer	Do.
O. W. Farenholt	Acting ensign.
A. J. Iverson	Do.
Wm. F. Buck	Acting master.
Joseph Marthen	Do.
E. F. Strong	Acting ensign.
W. J. Dumont	Do.
W. H. Brice	Acting master.
W. H. Webb	Acting ensign.
C. S. Coy	Late acting Volunteer lieutenant.
Ezra Leonard	Acting Volunteer lieutenant.
C. G. McRitchie	Acting master.
Zera L. Tanner	Do.
Joseph E. Jones	Do.
Wm. Welch	Mate.
Samuel Belden	Acting master.
J. H. Simpson	Do.
Henry R. Baker	Do.
Eugene W. Watson	Acting ensign.
John F. Merry	Acting master.
W. W. Rhoades	Do.
John C. Morong	Do.
Wm. C. Gibson	Acting ensign.
Wm. B. Arrants	Do.
Walter Sargent	Acting master.
James A. Chesley	Acting ensign.
Wm. A. Morgan	Acting master.
Wm. L. Howorth	Do.

ANDREW JOHNSON.

EXECUTIVE MANSION, *December* 7, 1867.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for promotion in the Army of the United States, as proposed by the Secretary of War.

ANDREW JOHNSON.

WASHINGTON, *December 3d*, 1867.

WAR DEPARTMENT,
Washington, December 3, 1867.

SIR: I have the honor to propose for your approbation the following-named officers for regular promotiou in the Army of the United States:

Medical Department.

Assistant Surgeon Abel F. Mechem to be surgeon, June 16, 1867, vice Abbott, deceased.

Assistant Surgeon Dallas Bache to be surgeon, August 5, 1867, vice Taylor, deceased.

Assistant Surgeon Blencowe E. Fryer to be surgeon, October 30, 1867, vice Getty, deceased.

Corps of Engineers.

Second Lieutenant Thomas Turtle to be first lieutenant, August 13, 1868, vice Hezlep, deceased.

First Regiment of Cavalry.

Second Lieutenant James Pike to be first lieutenant, September 27, 1867, vice Madigan, deceased. (Since deceased.)

Second Lieutenant Washington J. Henderson to be first lieutenant, October 14, 1867, vice Pike, deceased.

Second Regiment of Cavalry.

First Lieutenant James Cahill to be captain, November 1, 1867, vice Gordon, promoted to the Fourth Cavalry.

Second Lieutenant Ely S. Parker to be first lieutenant June 1, 1867, vice Allen, the regimental commissary.

Second Lieutenant Frank C. Granger to be first lieutenant, November 1, 1867, vice Cahill, promoted.

Third Regiment of Cavalry.

Second Lieutenant James A. Clifford to be first lieutenant, January 22, 1867, vice Carroll, appointed captain in the Ninth Cavalry.

Fourth Regiment of Cavalry.

Captain George C. Cram, of the Sixth Regiment of Cavalry, to be major, October 12, 1867, vice Johnsou, retired.

Captain George A. Gordon, of the Second Regiment of Cavalry, to be major, November 1, 1867, vice Chamblis, resigned.

First Lieutenant John Lee to be captain, July 31, 1867, vice Hedges, resigned.

First Lieutenant Joseph Rendlebrook to be captain, August 13, 1867, vice Kelly, deceased.

First Lieutenant Edwin J. Conway to be captain, August 16, 1867, vice Long, retired.

First Lieutenant Bird L. Fletcher to be captain, August 25, 1867, vice Thompson, promoted to the Seventh Cavalry.

Second Lieutenant David A. Irwin to be first lieutenant, July 31, 1867, vice Lee, promoted.

Second Lieutenant Will I. Moberley to be first lieutenant, August 16, 1867, vice Conway, promoted.

Second Lieutenant James B. Cole to be first lieutenant, August 25, 1867, vice Fletcher, promoted.

Second Lieutenant William H. Hick to be first lieutenant, September 2, 1867, vice Barnhart, dismissed.

Fifth Regiment of Cavalry.

First Lieutenant James Hastings to be captain, August 11, 1867, vice Owens, deceased.

First Lieutenant Robert Sweatman to be captain, November 4, 1867, vice Harrison, deceased.

Second Lieutenant Charles B. Brady to be first lieutenant, August 11, 1867, vice Hastings, promoted.

Second Lieutenant Calbraith P. Rodgers to be first lieutenant, August 15, 1867, vice Ruggles, promoted.

Sixth Regiment of Cavalry.

First Lieutenant Tullins P. Tupper to be captain, September 17, 1867, vice Spangler, deceased.

First Lieutenant Adna R. Chaffee to be captain, October 12, 1867, vice Cram, promoted to the Fourth Cavalry.

Second Lieutenant Henry B. Mellen to be first lieutenant, January 22, 1867, vice Bennett, appointed captain in the Seventh Infantry.

Second Lieutenant Charles H. Campbell to be first lieutenant May 7, 1867, vice Wood, resigned.

Second Lieutenant William Harper, jr., to be first lieutenant, May 10, 1867, vice Madden, promoted.

Second Lieutenant Harry E. Scott to be first lieutenant, June 8, 1867, vice Irwin, promoted.

Second Lieutenant James F. Hill to be first lieutenant, September 17, 1867, vice Tupper, promoted.

Seventh Regiment of Cavalry.

Captain John A. Thompson, of the Fourth Regiment of Cavalry, to be major, August 25, 1367, vice Albert, deceased.

First Lieutenant Lee P. Gillett to be captain, June 8, 1867, vice Robeson, resigned.

Second Lieutenant Henry J. Nowlan to be first lieutenant, December 3, 1866, vice Custer, the regimental quartermaster.

Second Lieutenant Henry H. Abell to be first lieutenant, February 21, 1867, vice Moylan, the regimental adjutant.

Second Lieutenant Charles Brewster to be first lieutenant, February 24, 1867, vice Wier, the regimental commissary.

Second Lieutenant James M. Bell to be first lieutenant, April 2, 1867, vice Fairley, deceased.

Second Lieutenant David W. Wallingford to be first lieutenant, June 8, 1867, vice Gillette, promoted.

Second Lieutenant John M. Johnson to be first lieutenant, November 1, 1867, vice Nowlan, the regimental commissary.

Eighth Regiment of Cavalry.

Second Lieutenant William McCleave to be first lieutenant, March 6, 1867, vice Hooker, appointed captain in the Ninth Cavalry.

Second Lieutenant Augustus W. Starr to be first lieutenant, June 10, 1867, vice Horbart, the regimental adjutant.

Second Lieutenant Mortimer M. Wheeler to be first lieutenant, August 26, 1867, vice Kauffman, the regimental quartermaster.

Second Lieutenant Jonathan D. Stevenson to be first lieutenant, August 26, 1867, vice Oliver, the regimental commissary.

Second Lieutenant Robert Carrick to be first lieutenant, October 9, 1867, vice Chamberlin, resigned.

Ninth Regiment of Cavalry.

Second Lieutenant James G. Birney to be first lieutenant, April 14, 1867, vice Griffin, deceased.

Second Lieutenant J. Lee Humfreville to be first lieutenant, July 12, 1867, vice Blackaller, deceased.

Second Lieutenant Francis Moore to be first lieutenant, July 12, 1867, vice Humfreville, the regimental quartermaster.

Second Lieutenant Frederick W. Smith to be first lieutenant, July 12, 1867, vice Moore, the regimental commissary.

Second Lieutenant Louis H. Rucker to be first lieutenant, July 31, 1867, vice De Gress, appointed captain.

Second Lieutenant Byron Dawson to be first lieutenant, July 31, 1867, vice Boice, appointed captain.

Second Lieutenant John S. Lond to be first lieutenant, July 31, 1867, vice Dodge, appointed captain.

Second Lieutenant Patrick Cusack to be first lieutenant, July 31, 1867, vice Heyl, appointed captain.

Tenth Regiment of Cavalry.

First Lieutenant George W. Graham to be captain, May 29, 1867, vice Taylor, resigned.

Second Lieutenant Nicholas D. Badger to be first lieutenant, May 29, 1867, vice Graham, promoted.

Second Lieutenant Thomas J. Spencer to be first lieutenant, June 1, 1867, vice Alvord, the regimental adjutant.

Second Lieutenant George F. Raulston to be first lieutenant, July 31, 1867, vice Gray, appointed captain.

First Regiment of Artillery.

First Lieutenant William L. Haskin to be captain, October 15, 1867, vice Kilpatrick, resigned.

Second Lieutenant Edmund K. Russell, to be first lieutenant, August 28, 1867, vice Von Michalowski, resigned.

Second Lieutenant Lowell A. Chamberlin, to be first lieutenant, October 15, 1867, vice Haskin, promoted.

Third Regiment of Artillery.

First Lieutenant William D. Fuller to be captain, November 1, 1867, vice Kip, resigned.

Fifth Regiment of Artillery.

First Lieutenant Thompson P. McElrath to be captain, September 24, 1867, vice Stone, deceased.

Second Lieutenant Frank Thorp to be first lieutenant, June 6, 1867, vice Barstow, deceased.

Second Lieutenant William J. Patterson to be first lieutenant, September 28, 1867, vice Gordon, deceased.

Second Lieutenant Elbridge R. Hills to be first lieutenant, October 1, 1867, vice Beck, the regimental quartermaster.

First Regiment of Infantry.

First Lieutenant John Cusack to be captain, September 18, 1867, vice Green, deceased.

Second Lieutenant Francis E. Pierce to be first lieutenant, September 9, 1867, vice Spalding, dismissed.

Second Lieutenant Placidus Ord to be first lieutenant, September 18, 1867, vice Cusack, promoted.

Second Regiment of Infantry.

First Lieutenant Thomas Byrne to be captain, August 15, 1867, vice West, cashiered.

Second Lieutenant Alstorphius Werninger, jr., to be first lieutenant, August 15, 1867, vice Byrne, promoted.

Second Lieutenant William H. Boyle to be first lieutenant, August 15, 1867, vice Noggle, resigned.

Third Regiment of Infantry.

Second Lieutenant John P. Thompson to be first lieutenant, July 24, 1867, vice Helm, deceased.

Second Lieutenant Samuel W. Bonsall to be first lieutenant, October 1, 1867, vice Belger, the regimental adjutant.

Fourth Regiment of Infantry.

Second Lieutenant Anthony W. Vodges to be first lieutenant, July 31, 1867, vice Lantz, dropped for desertion.

Sixth Regiment of Infantry.

Second Lieutenant William W. Fleming to be first lieutenant, July 31, 1867, vice Weilandt, dropped for desertion.

Seventh Regiment of Infantry.

First Lieutenant Frederick E. Grossman to be captain, October 12, 1867, vice Cullen, resigned.

Second Lieutenant John B. Johnson to be first lieutenant, October 12, 1867, vice Grossman, promoted.

Second Lieutenant Joel H. Lyman to be first lieutenant, October 12, 1867, vice Miller, wholly retired.

Eighth Regiment of Infantry.

First Lieutenant Charles Snyder to be captain, August 6, 1867, vice Bliss, promoted to the Thirty-ninth Infantry.

Second Lieutenant Thomas B. Robinson to be first lieutenant, August 6, 1867, vice Snyder, promoted.

Second Lieutenant William W. Wallace to be first lieutenant, September 25, 1867, vice Means, resigned.

Ninth Regiment of Infantry.

First Lieutenant George W. Walker to be captain, March 7, 1867, vice Yard, appointed major in the Tenth Cavalry (since deceased).

First Lieutenant Timothy Connelly to be captain, September 10, 1867, vice Walker, deceased.

Second Lieutenant Morris C. Foot to be first lieutenant, March 7, 1867, vice Walker, promoted.

Second Lieutenant Gilbert C. Smith to be first lieutenant, September 10, 1867, vice Connelly, promoted.

Second Lieutenant John F. Trout to be first lieutenant, November 10, 1867, vice Penny, wholly retired.

Tenth Regiment of Infantry.

Captain David B. McKibben of the Thirty-second Regiment of Infantry, to be major, September 15, 1867, vice Hayman, promoted to the Seventh Infantry.

Second Lieutenant D. Geoghegan to be first lieutenant, July 28, 1866, vice Dunn, appointed captain in the Twenty-first Infantry.

Twelfth Regiment of Infantry.

Second Lieutenant Lewis Nolen to be first lieutenant. October 17, 1867, vice Thieman, wholly retired.

Thirteenth Regiment of Infantry.

First Lieutenant Joseph L. Horr to be captain, October 5, 1867, vice Carey, appointed paymaster.

Second Lieutenant Eugene H. Townsend to be first lieutenant, June 10, 1867, vice Keeting, resigned.

Second Lieutenant Henry C. Pratt to be first lieutenant, July 1, 1867, vice McGinniss, the regimental quartermaster.

Second Lieutenant William Anman to be first lieutenant, October 5, 1867, vice Horr, promoted.

Fifteenth Regiment of Infantry.

First Lieutenant James P. Brown to be captain, August 15, 1867, vice Galloway, cashiered.

First Lieutenant James H. Stewart to be captain, September 17, 1867, vice Tracy, deceased.

First Lieutenant George Shorkley to be captain, October 13, 1867, vice Fetterman, deceased.

First Lieutenant Frederick W. Coleman to be captain, October 22, 1867, vice Cummings, deceased.

Second Lieutenant Charles J. Johnson to be first lieutenant, August 15, 1867, vice Brown promoted.

Second Lieutenant Frank C. Brunck to be first lieutenant, August 27, 1867, vice Breckenridge deceased (since deceased).

Second Lieutenant Wilber F. Du Bois to be first lieutenant, September, 17, 1867, vice Stewart, promoted.

Second Lieutenant Thomas Blair to be first lieutenant, October 13, 1867, vice Shorkley, promoted.

Second Lieutenant Henry R. Brinkerhoff to be first lieutenant, November 7, 1867, vice Brunck, deceased.

Seventeenth Regiment of Infantry.

Major Samuel B. Hayman, of the Tenth Regiment of Infantry, to be lieutenant-colonel, September 15, 1867, vice Doubleday, promoted to the Thirty-fifth Infantry.

Captain Ebenezer Gay, of the Forty-fourth Regiment of Infantry, to be major, September 16, 1867, vice O'Connell, deceased.

First Lieutenant Samuel W. Black to be captain, July 6, 1867, vice Brayton, resigned (since deceased).

First Lieutenant Malcolm McArthur to be captain, September 18, 1867, vice Warren, deceased.

First Lieutenant Robert B. Wade to be captain, September 29, 1867, vice Black, deceased.

First Lieutenant George H. Cram to be captain, October 8, 1867, vice Swartwont, deceased.

Second Lieutenant Thomas G. Troxel to be first lieutenant, July 6, 1867, vice Black, promoted.

Second Lieutenant Charles Garretson to be first lieutenant, September 1, 1867, vice Sutherland, resigned.

Second Lieutenant Alexander H. M. Taylor to be first lieutenant, September 1, 1867, vice Garretson, the regimental quartermaster.

Second Lieutenant Horatio Potter, jr., to be first lieutenant, September 13, 1867, vice Lambert, deceased.

Second Lieutenant Cyrus S. Roberts to be first lieutenant, September 18, 1867, vice McArthur, promoted.

Second Lieutenant Henry Norton to be first lieutenant, September 29, 1867, vice Wade, promoted.

Second Lieutenant Charles H. Green to be first lieutenant, November 1, 1867, vice Stephenson, resigned.

Eighteenth Regiment of Infantry.

Second Lieutenant Alvan S. Galbreath to be first lieutenant, January 22, 1867, vice Wilcox, promoted.

Second Lieutenant Royal S. Carr to be first lieutenant, February 25, 1867, vice Brent, the regimental quartermaster (since resigned).

Second Lieutenant James Regan to be first lieutenant, August 12, 1867, vice Carr, resigned.

Second Lieutenant William H. Campion to be first lieutenant, October 24, 1867, vice Skinner, resigned.

Nineteenth Regiment of Infantry.

First Lieutenant Theodore A. Baldwin to be captain, July 23, 1867, vice Smith, resigned.

Second Lieutenant William Atwood to be first lieutenant, July 23, 1867, vice Hammer, the regimental quartermaster.

Twentieth Regiment of Infantry.

First Lieutenant John McIntosh to be captain, October 5, 1867, vice Pomeroy, resigned.

Second Lieutenant Septimus E. Carncross to be first lieutenant, October 3, 1867, vice Stickney, deceased.

Second Lieutenant Charles B. Carter to be first lieutenant, October 3, 1867, vice Carncross, the regimental adjutant.

Second Lieutenant Charles Robinett to be first lieutenant, October 5, 1867, vice McIntosh, promoted.

Second Lieutenant Louis M. Morris to be first lieutenant, October 22, 1867, vice Hicks, deceased.

Second Lieutenant George E. Viall to be first lieutenant, November 1, 1867, vice Maxwell, resigned.

Twenty-first Regiment of Infantry.

Second Lieutenant Thomas F. Riley to be first lieutenant, October 29, 1867, vice Lee, resigned.

Twenty-second Regiment of Infantry.

First Lieutenant William Nelson to be captain, July 9, 1867, vice Thorp, resigned.

First Lieutenant Henry L. Beck to be captain, July 31, 1867, vice Ewing, resigned.

First Lieutenant Enno F. Wenckebach to be captain, September 15, 1867, vice Marshall, resigned.

Second Lieutenant Frederick H. Dibble to be first lieutenant, January 1, 1867, vice McCaskey, the regimental adjutant.

Second Lieutenant Hiram H. Ketchum to be first lieutenant, July 31, 1867, vice Beck, promoted.

Second Lieutenant William A. Olmsted to be first lieutenant, September 15, 1867, vice Wenckebach, promoted.

Twenty-third Regiment of Infantry.

Second Lieutenant Charles Bird to be first lieutenant, May 23, 1865, vice Nickerson, the regimental adjutant.

Second Lieutenant John W. Lewis to be first lieutenant, June 8, 1867, vice Eskridge, the regimental quartermaster.

Second Lieutenant John G. Teeford to be first lieutenant, November 1, 1867, vice Little, promoted.

Thirty-second Regiment of Infantry.

First Lieutenant Homer J. Ripley to be captain, September 15, 1867, vice McKibbin, promoted to the Tenth Infantry.

Second Lieutenant William McK. Owen to be first lieutenant, September 21, 1866, vice Ripley, the regimental adjutant.

Secon Lieutenant Thomas M. McDougal to be first lieutenant, November 5, 1866, vice Fergus, promoted.

Second Lieutenant George Macomber to be first lieutenant, January 14, 1867, vice Burgoyne, resigned.

Second Lieutenant Almeron S. Matthews to be first lieutenant, September 15, 1867, vice Ripley, promoted.

Thirty-third Regiment of Infantry.

First Lieutenant Samuel R. Honey to be captain, November 1, 1866, vice Young, wholly retired.

First Lieutenant Robert Harrison to be captain, March 7, 1867, vice Meredith, resigned.

Second Lieutenant Joseph G. Waters to be first lieutenant, November 1, 1866, vice Honey, promoted.

Second Lieutenant Gordon Winslow to be first lieutenant, January 17, 1867, vice Corliss, the regimental quartermaster.

Second Lieutenant James W. Powell to be first lieutenant, March 7, 1867, vice Harrison, promoted.

Thirty-fourth Regiment of Infantry.

First Lieutenant Walter Clifford to be captain, July 31, 1867, vice Dykeman, resigned.

Second Lieutenant Charles E. Drew to be first lieutenant, July 31, 1867, vice Clifford, promoted.

Twenty-fourth Regiment of Infantry.

First Lieutenant Mason Jackson to be captain, September 14, 1867, vice Gray, deceased.

First Lieutenant John Williams to be captain, October 5, 1867, vice Hyatt, deceased.

Second Lieutenant Peter Engels to be first lieutenant, September 14, 1867, vice Jackson, promoted.

Second Lieutenant John R. Hynes to be first lieutenant, October 5, 1867, vice Williams, promoted.

Twenty-fifth Regiment of Infantry.

First Lieutenant John T. Mackey to be captain, September 21, 1867, vice Durnin, cashiered.

Second Lieutenant Joseph M. Kennedy to be first lieutenant, August 9, 1867, vice Comstock, deceased.

Second Lieutenant Lyster M. O'Brien to be first lieutenant, September 21, 1867, vice Mackey, promoted.

Twenty-sixth Regiment of Infantry.

Second Lieutenant Joseph A. Sladen to be first lieutenant, July 17, 1867, vice Plummer, the regimental adjutant.

Second Lieutenant James P. Richardson to be first lieutenant, July 31, 1867, vice McLaughlin, appointed captain.

Twenty-seventh Regiment of Infantry.

First Lieutenant George M. Templeton to be captain, October 19, 1867, vice Harding, wholly retired.

Second Lieutenant Alphens H. Bowman to be first lieutenant, March 5, 1867, vice D'Isay, promoted.

Second Lieutenant Edmund L. McCaullay to be first lieutenant, March 5, 1867, vice Thompson, promoted.

Second Lieutenant John C. Jenness to be first lieutenant, March 5, 1867, vice Bowman the regimental adjutant (since deceased).

Second Lieutenant Thomas Connolly to be first lieutanant, July 1, 1867, vice Warrens, the regimental quartermaster.

Second Lieutenant George H. Palmer to be first lieutenant, August 2, 1867, vice Jenness, deceased.

Second Lieutenant Alexander Wishart to be first lieutenant, October 19, 1867, vice Templeton, promoted.

Twenty-eighth Regiment of Infantry.

Second Lieutenant Luther M. De Motte to be first lieutenant, March 7, 1867, vice Miner, appointed captain in the Twenty-second Infantry (since resigned).

Second Lieutenant Ira McL. Barton to be first lieutenant, August 20, 1867, vice Porter, resigned.

Second Lieutenant James W. Shaw to be first lieutenant, October 31, 1867, vice De Motte, resigned.

Twenty-ninth Regiment of Infantry.

First Lieutenant Lemuel Pettee to be captain, November 2, 1867, vice Edgerton, wholly retired.

Second Lieutenant Thomas E. Merritt to be first lieutenant, November 2, 1867, vice Pettee, promoted.

Thirty-first Regiment of Infantry.

First Lieutenant Thomas Little to be captain, November 1, 1867, vice Yates, retired.

Second Lieutenant Philip H. Ellis to be first lieutenant, December 28, 1866, vice Marshall, the regimental quartermaster.

Second Lieutenant Martin E. Hogan to be first lieutenant, December 28, 1866, vice O'Toole, the regimental adjutant.

Second Lieutenant John G. Teeford to be first lieutenant, November 1, 1867, vice Little, promoted.

Thirty-fifth Regiment of Infantry.

Lieutenant-Colonel Abner Doubleday, of the Seventeenth Regiment of Infantry, to be colonel, September 15, 1867, vice Griffin, deceased.

First Lieutenant Frederick W. Bailey to be captain, October 7, 1867, vice Lathrop, deceased.

Second Lieutenant James D. Vernay to be first lieutenant, July 12, 1867, vice Bonnaffon, deceased.

Second Lieutenant Charles C. Cresson to be first lieutenant, October 7, 1867, vice Bailey, promoted.

Thirty-sixth Regiment of Infantry.

Second Lieutenant William Harmon to be first lieutenant, November 14, 1867, vice Hendee, wholly retired.

Thirty-seventh Regiment of Infantry.

Second Lieutenant George W. Baird to be first lieutenant, April 27, 1867, vice Pope. the regimental quartermaster.

Thirty-eighth Regiment of Infantry.

Second Lieutenant Alexander McL. Crawford to be first lieutenant, March 29, 1867, vice Spurgin. the regimental quartermaster.

Second Lieutenant James N. Morgan to be first lieutenant, June 12, 1867, vice Crandal, appointed captain in the Forty-first Infantry.

Thirty-ninth Regiment of Infantry.

Captain Zenas R. Bliss, of the Eighth Regiment of Infantry, to be major, August 6, 1867, vice Von Schrader, deceased.

First Lieutenant Emil Adams to be captain, May 31, 1867, vice McKim, resigned.

Second Lieutenant William Hocleke to be first lieutenant, January 5, 1867, vice Keeler, the regimental quartermaster.

Second Lieutenant Jesse M. Lee to be first lieutenant, January 7, 1867, vice O'Reilly, the regimental quartermaster.

Second Lieutenant Michael L. Courtney to be first lieutenant, May 31, 1867, vice Adam, promoted.

Second Lieutenant H. Baxter Quimby to be first lieutenant, July 31, 1867, vice Warren, appointed captain.

Second Lieutenant Charles L. Cooper to be first lieutenant, October 5, 1867, vice Bucklin, dismissed.

Forty-first Regiment of Infantry.

Second Lieutenant Samuel E. Armstrong to be first lieutenant, May 2, 1867, vice Funk, the regimental quartermaster.

Second Lieutenant Henry W. Lawton to be first lieutenant, July 1, 1867, vice Schenck, the regimental adjutant.

Second Lieutenant Edward Donovan to be first lieutenant, September 20, 1867, vice Ingraham, deceased.

Forty-second Regiment of Infantry.

Second Lieutenant Alanson E. Niles to be first lieutenant, January 4, 1867, vice Joyes, the regimental quartermaster.

Second Lieutenant Jacob W. Keller to be first lieutenant, March 20, 1867, vice Lynch, appointed captain.

Forty-fourth Regiment of Infantry.

Second Lieutenant William Shields to be first lieutenant, January 15, 1867, vice Sylvester, the regimental adjutant.

Second Lieutenant Frank R. Rice to be first lieutenant, June 5, 1867, vice Shea, appointed captain.

Second Lieutenant Henry Marcotte to be first lieutenant, June 5, 1867, vice Rice, the regimental quartermaster.

Forty-fifth Regiment of Infantry.

Second Lieutenant Julius E. Quenton to be first lieutenant, March 1, 1867, vice Cleghorn, the regimental quartermaster.

Second Lieutenant Edward C. Knower to be first lieutenant, March 25, 1867, vice Warden, the regimental adjutant.

Transfers.

First Lieutenant John M. Stephenson, of the Fourth Regiment of Artillery, to the Seventeenth Regiment of Infantry, August 19, 1867.

Firt Lieutenant Ormsby M. Mitchell, of the Seventeenth Regiment of Infantry, to the Fourth Regiment of Artillery, August 19, 1867.

Second Lieutenant Charles Shaler, of the Fifth Regiment of Artillery, to the Ordnance Department, July 5, 1867.

Second Lieutenant James W. Dixon, of the Third Regiment of Cavalry, to the Fourth Regiment of Artillery, September 7, 1867.

Second Lieutenant Howard B. Cushing, of the Fourth Regiment of Artillery, to the Third Regiment of Cavalry, September 7, 1867.

Second Lieutenant Albert J. Garrett, of the Twenty-seventh Regiment of Infantry, to the First Regiment of Cavalry, November 20, 1867.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December 3rd*, 1867.

WAR DEPARTMENT,
Washington, December 3rd, 1867.

SIR: I have the honor to propose for your approbation the following-named persons for appointment in the Army of the United States, under the act approved July 28, 1866, they having passed the examination required by law:

Theodore A. Boise, late lieutenant colonel of the Fifth New York Cavalry, to be first lieutenant in the Ninth Regiment United States Cavalry, July 28, 1866, to fill an original vacancy.

Joseph K. Byers, late first lieutenant Veteran Reserve Corps, to be first lieutenant in the Forty-second Regiment United States Infantry, March 7, 1867, to fill an original vacancy.

Hugh D. Bowker, late first lieutenant and regimental quartermaster of the One hundred and twenty-second Regiment United States Colored Troops, to be first lieutenant in the Forty-fifth Regiment United States Infantry, April 22, 1867, to fill an original vacancy.

Josiah A. Sheets, late lieutenant-colonel of the Eighth Illinois Volunteers, to be first lieutenant in the Thirtieth United States Infantry, March 7, 1867, to fill an original vacancy.

Captain Andrew Mahoney, of the Veteran Reserve Corps, to be first lieutenant in the Forty-fifth Regiment United States Infantry, March 7, 1867, to fill an original vacancy.

Major F. W. Taggard, assistant adjutant-general of Volunteers, to be first lieutenant in the Forty-first Regiment United States Infantry, May 9, 1867, to fill an original vacancy.

Edwin C. Gaskill, late captain of the Thirty-sixth Regiment United States Colored Troops, to be first lieutenant in the Forty-third Regiment United States Infantry, May 21, 1867, to fill an original vacancy.

Charles H. Ingraham, late captain of the Fourteenth Regiment United States Infantry, to be first lieutenant in the Forty-first Regiment United States Infantry, March 7, 1867, to fill an original vacancy.

Philip L. Lee, late first lieutenant Sixteenth New York Cavalry, to be first lieutenant in the Tenth Regiment United States Cavalry, July 28, 1866, to fill an original vacancy.

William B. Nesbitt, late lieutenant-colonel of the One hundred and seventy-sixth Ohio Volunteers, to be first lieutenant in the Fortieth Regiment United States Infantry, May 16, 1867, to fill an original vacancy.

John F. Skelton, late commissary of subsistence of Volunteers, to be first lieutenant in the Forty-fifth Regiment United States Infantry, May 17, 1867, to fill an original vacancy.

Archibald Bogle, late major of the Thirty-fifth Regiment United States Colored Troops, to be first lieutenant in the Thirty-ninth Regiment United States Infantry, May 21, 1867, to fill an original vacancy.

William S. Johnson, late first lieutenant of the Veteran Reserve Corps, to be first lieutenant in the Forty-third Regiment United States Infantry, June 27, 1867, to fill an original vacancy.

Second Lieutenant Charles Parker, of the Ninth Regiment United States Cavalry, to be first lieutenant in the Ninth Regiment United States Cavalry, June 12, 1867, to fill an original vacancy.

Erskine M. Camp, late assistant quartermaster of Volunteers, to be first lieutenant in the Fortieth Regiment United States Infantry, June 10, 1867, to fill an original vacancy.

H. J. Farnsworth, late assistant quartermaster of Volunteers, to be first lieutenant in the Thirty-fourth Regiment United States Infantry, June 14, 1867, to fill an original vacancy.

George E. Ford, late captain and aide-de-camp United States Volunteers, to be first lieutenant in the Thirty-ninth Regiment United States Infantry, June 12, 1867, to fill an original vacancy.

Andrew Geddes, late lieutenant-colonel of the Eighth Iowa Volunteers, to be first lieutenant in the Fortieth Regiment United States Infantry, June 12, 1867, to fill an original vacancy.

Charles Banzhaf, late captain of the Veteran Reserve Corps, to be first lieutenant in the Tenth Regiment United States Cavalry, June 12, 1867, to fill an original vacancy.

Charles M. Bucklin, late second lieutenant of the Eighty-first Regiment United States Colored Troops, to be first lieutenant in the Thirty-ninth Regiment United States Infantry, June 12, 1867, to fill an original vacancy.

Cyrus N. Gray, late captain of the Fifteenth Regiment United States Colored Troops, to be first lieutenant in the Thirty-ninth Regiment United States Infantry, June 12, 1867, to fill an original vacancy.

William E. Horton, late first lieutenant of the 11th Connecticut Volunteers, to be first lieutenant in the Forty-first Regiment United States Infantry, June 12, 1867, to fill an original vacancy.

Thomas C. Lebo, late captain of the First Pennsylvania Cavalry, to be first lieutenant in the Tenth Regiment United States Cavalry, June 12, 1867, to fill an original vacancy.

William Quinton, late second lieutenant of the Signal Corps, to be first lieutenant in the Thirty-third Regiment United States Infantry, June 12, 1867, to fill an original vacancy.

Robert G. Smithers, late captain of the Seventh Indiana Cavalry, to be first lieutenant in the Tenth Regiment United States Cavalry, June June 12, 1867, to fill an original vacancy.

William E. Hoffman, late captain of the Ninety-eighth Illinois Mounted Infantry, to be first lieutenant in the Thirty-first Regiment United States Infantry, June 12, 1867, to fill an original vacancy.

John B. Nixon, late captain of the Seventeenth Regiment United States Colored Troops, to be first lieutenant in the Thirty-eighth Regiment United States Infantry, June 12, 1867, to fill an original vacancy.

A. E. Woodson, late lieutenant of the First Washington Territory Volunteer Infantry, to be first lieutenant in the Thirty-sixth Regiment United States Infantry, August 5, 1867, to fill an original vacancy.

John H. Mahuken, late captain and assistant adjutant-general of Volunteers, to be first lieutenant in the Eighth Regiment United States Cavalry, August 7, 1867, to fill an original vacancy.

Second Lieutenant James H. Baldwin, of the Twenty-fifth Regiment United States Infantry, to be first lieutenant in the Twenty-fifth Regiment United States Infantry, July 31, 1867, to fill an original vacancy.

Second Lieutenant Myron J. Amick, of the Tenth Regiment United States Cavalry, to be first lieutenant in the Tenth Regiment United States Cavalry, July 31, 1867, to fill an original vacancy.

Second Lieutenant Francis S. Davidson, of the Ninth Regiment United States Cavalry, to be first lieutenant in the Ninth Regiment United States Cavalry, July 31, 1867, to fill an original vacancy.

Second Lieutenant Edmund G. Fechit, of the Eighth Regiment United States Cavalry, to be first lieutenant in the Eighth Regiment United States Cavalry, July 31, 1867, to fill an original vacancy.

Second Lieutenant Almond B. Wells, of the Eighth Regiment United States Cavalry, to be first lieutenant in the Eighth Regiment United States Cavalry, July 31, 1867, to fill an original vacancy.

Second Lieutenant John Drum, of the Fourteenth Regiment United States Infantry, to be first lieutenant in the Fourteenth Regiment United States Infantry, July 31, 1867, to fill an original vacancy.

Second Lieutenant William W. Cook, of the Seventh Regiment United States Cavalry, to be first lieutenant in the Seventh Regiment United States Cavalry, July 31, 1867, to fill an original vacancy.

Second Lieutenant Frederick A. Kendall, of the Fortieth Regiment United States Infantry, to be first lieutenant in the Fortieth Regiment United States Infantry, July 31, 1867, to fill an original vacancy

Second Lieutenant Walter S. Long, of the Fortieth Regiment United States Infantry, to be first lieutenant in the Fortieth Regiment United States Infantry, July 31, 1867, to fill an original vacancy.

Second Lieutenant Robert Neely, of the Forty-first Regiment United States Infantry, to be first lieutenant in the Forty-first Regiment United States Infantry, July 31, 1867, to fill an original vacancy.

Second Lieutenant John Lafferty, of the Eighth Regiment United States Cavalry, to be first lieutenant in the Eighth Regiment United States Cavalry, July 31, 1867, to fill an original vacancy.

Second Lieutenant John T. Morrison, of the Tenth Regiment United States Cavalry, to be first lieutenant in the Tenth Regiment United States Cavalry, July 31, 1867, to fill an original vacancy.

Daniel M. Page, late first lieutenant of the One hundred and eleventh Regiment United States Colored Troops, to be first lieutenant in the Thirty-eighth Regiment United States Infantry, July 22, 1867, to fill an original vacancy.

George B. Bosworth, late major of the Sixteenth New York Cavalry, to be first lieutenant in the Ninth regiment United States Cavalry, July 31, 1867, to fill an original vacancy.

Second Lieutenant James T. Leavy, of the Seventh Regiment United States Cavalry, to be first lieutenant in the Seventh Regiment United States Cavalry.

Second Lieutenant Henry Jackson, of the Seventh Regiment United States Cavalry, to be first lieutenant in the Seventh Regiment United States Cavalry, July 31, 1867, to fill an original vacancy.

Second Lieutenant Richard H. Pratt, of the Tenth Regiment United States Cavalry, to be first lieutenant in the Tenth Regiment United States Cavalry, July 31, 1867, to fill an original vacancy.

Second Lieutenant David H. Cortelyon, of the 9th Regiment United States Cavalry, to be first lieutenant in the Ninth Regiment United States Cavalry, July 31, 1867, to fill an original vacancy.

Second Lieutenant Joseph W Dickinson, of the Twenty-sixth Regiment United States Infantry, November 4, 1867, to fill an original vacancy.

Second Lieutenant Florence L. McCarthy, of the Twenty-second Regiment United States Infantry, to be first lieutenant in the Twenty-seventh Regiment United States Infantry, November 4, 1867, to fill an original vacancy.

Second Lieutenant Thomas W. Gibson, of the Eighth Regiment United States Cavalry, to be first lieutenant in the Eighth Regiment United States Cavalry, November 4, 1867, to fill an original vacancy.

Second Lieutenant J. Milton Thompson, of the Thirty-eighth Regiment United States Infantry, to be first lieutenant in the Thirty-eighth Regiment United States Infantry, November 4, 1867, to fill an original vacancy.

Second Lieutenant George E. Albee, of the Forty-first Regiment United States Infantry, to be first lieutenant in the Forty-first Regiment United States Infantry November 4, 1867, to fill an original vacancy.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December 3rd*, 1867.

WAR DEPARTMENT,
Washington, December 3d, 1867.

SIR: I have the honor to propose for your approbation the following-named persons for appointment in the Army of the United States, under the act approved July 28, 1866, they having passed the examination required by law:

Charles Parker, late captain Seventeenth Illinois Cavalry, to be second lieutenant in the Ninth Regiment United States Cavalry, July 28, 1868, to fill an original vacancy.

John A. Bodamer, late adjutant of the Twenty-fourth New York Cavalry, to be second lieutenant in the Tenth Regiment United States Cavalry, March 7, 1867, to fill an original vacancy.

John J. Clague, late captain of the Eighteenth Regiment United States Colored Troops, to be second lieutenant in the Fortieth Regiment United States Infantry. March 7, 1867, to fill an original vacancy.

John T. Morrison, late lieutenant Second Minnesota Cavalry, to be second lieutenant in the Tenth Regiment United States Cavalry, March 7, 1867, to fill an original vacancy.

John Scott, late captain Twenty-fifth Illinois Volunteers, to be second lieutenant in the Thirtieth Regiment United States Infantry, March 7, 1867, to fill an original vacancy.

Henry W. Lawton, late lieutenant-colonel Thirtieth Indiana Volunteers, to be second lieutenant in the Forty-first Regiment United States Infantry, July 28, 1866, to fill an original vacancy.

Charles A. Van Deursen, late lieutenant Fiftieth Ohio Volunteers, to be second lieutenant in the Sixth Regiment United States Infantry, March 7, 1867, to fill an original vacancy.

Benjamin F. Grafton, late captain Twenty-sixth Ohio Volunteers, to be second lieutenant in the Twenty-ninth Regiment United States Infantry, May 6, 1867, to fill an original vacancy.

Edward R. Theller, late captain Second California Volunteers, to be second lieutenant in the Ninth Regiment United States Infantry, March 7, 1867, to fill an original vacancy.

James N. Morgan, late lieutenant-colonel One hundred and forty-fourth Illinois Volunteers, to be second lieutenant in the Thirty-eighth Regiment United States Infantry, July 28, 1866, to fill an original vacancy.

Jacob A. Sonders, late major of the Eighth Ohio Veteran Cavalry, to be second lieutenant in the Thirty-eighth Regiment United States Infantry, May 17, 1867, to fill an original vacancy.

Almond B. Wells, late captain of the Nebraska Cavalry, to be second lieutenant in the Eighth Regiment United States Cavalry, July 28, 1866, to fill an original vacancy.

Robert Neely, late major First Maryland Infantry, to be second lieutenant in the Forty-first Regiment United States Infantry, July 28, 1866, to fill an original vacancy.

Stephen R. Stafford, late captain Eighth New York Heavy Artillery, to be second lieutenant in the Thirty-eighth Regiment United States Infantry, May 21, 1867, to fill an original vacancy.

William J. Campbell, late first lieutenant and quartermaster of the Ninety-fifth Pennsylvania Volunteers, to be second lieutenant in the Twenty-second Regiment United States Infantry, May 21, 1867, to fill an original vacancy.

Samuel E. Armstrong, late captain of the First Maryland Artillery, to be second lieutenant in the Forty-first Regiment United States Infantry, July 28, 1866, to fill an original vacancy.

Joseph W. Wham, late first lieutenant Twenty-first Illinois Volunteers, to be second lieutenant in the Thirty-fifth Regiment United States Infantry, May 22, 1867, to fill an original vacancy.

Levi F. Burnett, late second lieutenant Veteran Reserve Corps, to be second lieutenant in the Thirty-sixth Regiment United States Infantry, May 25, 1867, to fill an original vacancy.

Jonathan B. Hanson, late captain of the First Massachusetts Heavy Artillery, to be second lieutenant in the Thirty-ninth Regiment United States, March 7, 1867, to fill an original vacancy.

John B. Eaton, late captain Twenty-seventh New York Battery, to be second lieutenant in the Third Regiment United States Artillery, May 27, 1867, to fill an original vacancy.

Byron Dawson, late captain of the Eighth Indiana Cavalry, to be second lieutenant in the Ninth Regiment United States Cavalry, July 28, 1866, to fill an original vacancy.

George W. Kingsbury, late second lieutenant of the Seventeenth Vermont Volunteers, to be second lieutenant in the Forty-third Regiment United States Infantry, May 31, 1867, to fill an original vacancy.

D. Henry McComas, late captain Eighth Michigan Volunteers, to be second lieutenant in the Forty-fifth Regiment United States Infantry, March 7, 1867, to fill an original vacancy.

John H. Filler, late major of the Fifth Pennsylvania Volunteers, to be second lieutenant in the Twenty-ninth Regiment United States Infantry, June 6, 1867, to fill an original vacancy.

George P. McDougall, late lieutenant of the Veteran Reserve Corps, to be second lieutenant in the Forty-second Regiment United States Infantry, January 22, 1867, to fill an original vacancy.

Henry W. Hubbell, jr., of New York, to be second lieutenant in the First Regiment United States Artillery, June 18, 1867, to fill an original vacancy.

John Little, late second lieutenant of the Seventeenth Wisconsin Volunteers, to be second lieutenant in the Thirty-fifth Regiment United States Infantry, May 6, 1867, to fill an original vacancy.

Thomas W. Gibson, late second lieutenant of the Seventh Indiana Cavalry, to be second lieutenant in the Eighth Regiment United States Cavalry, May 25, 1867, to fill an original vacancy.

Bradford S. Bassett, late captain of the Sixteenth Kansas Cavalry, to be second lieutenant in the Seventh Regiment United States Cavalry, June 18, 1867, to fill an original vacancy

Benjamin F. Bell, late second lieutenant of the Thirty-seventh Regiment United States Colored Troops, to be second lieutenant in the Tenth Regiment United States Cavalry, June 18, 1867, to fill an original vacancy.

William B. Clark, late lieutenant colonel of the Fourteenth Kansas Cavalry, to be second lieutenant in the Seventh Regiment United States Cavalry, June 18, 1867, to fill an original vacancy.

Aaron B. Jerome, late second lieutenant of the Signal Corps, to be second lieutenant in the Eighth Regiment United States Cavalry, June 18, 1867, to fill an original vacancy.

James A. Rothermel, late second lieutenant of the Nineteenth Pennsylvania Cavalry, to be second lieutenant in the Eighth Regiment United States Cavalry, June 18, 1867, to fill an original vacancy.

Louis J. Sacriste, late captain of the One hundred and sixteenth Pennsylvania Volunteers, to be second lieutenant in the Twentieth Regiment United States Infantry, June 18, 1867, to fill an original vacancy.

First Sergeant James Calhoun, of Company D, Twenty-third Regiment United States Infantry, to be second lieutenant in the Thirty-second Regiment United States Infantry July 31, 1867, to fill an original vacancy.

Samuel R. Colladay, late captain of the First Pennsylvania Cavalry, to be second lieutenant in the Tenth Regiment United States Cavalry, August 9, 1867, to fill an original vacancy.

John Simpson, of Ohio, to be second lieutenant in the Fourth Regiment United States Artillery, August 17, 1867, to fill an original vacancy.

Algernon E. Smith, late captain of the One hundred and seventeeth New York Volunteers, to be second lieutenant in the Seventh Regiment United States Cavalry, August 9, 1867, to fill an original vacancy.

William Davis, late captain of the First Missouri Cavalry, to be second lieutenant in the Tenth Regiment United States Cavalry, August 17, 1867, to fill an original vacancy.

William Stanton, late corporal of the Forty-third Ohio Volunteers, to be second lieutenant in the Second Regiment United States Artillery, September 3, 1867, to fill an original vacancy.

Edward C. Henshaw, of Illinois, to be second lieutenant in the Fifteenth Regiment United States Infantry, September 3, 1867, to fill an original vacancy.

Sydney W. Taylor, of New York, to be second lieutenant in the Fourth Regiment United States Artillery, September 3, 1867, to fill an original vacancy.

William P. Lord, late major of the First Delaware Vols., to be second lieutenant in the Second Regiment United States Artillery, September 4, 1867, to fill an original vacancy.

William P. Van Ness, of Michigan, to be second lieutenant in the First Regiment United States Artillery, September 20, 1867, to fill an original vacancy.

Charles W. Hobbs, late major of the Seventh New York Heavy Artillery, to be second lieutenant in the Third Regiment United States Artillery, September 21, 1867, to fill an original vacancy.

Charles G. Fisher, of the District of Columbia, to be second lieutenant in the Fourth Regiment United States Artillery, October 24, 1867, to fill an original vacancy.

Peter Leary, jr., late second lieutenant Baltimore Battery Light Artillery Maryland Volunteers, to be second lieutenant in the Fourth Regiment United States Artillery, July 2, 1867, to fill an original vacancy.

Frank H. Barnhart, late captain of the Fifteenth Pennsylvania Volunteers, to be second lieutenant in the Twenty-fifth Regiment United States Infantry, June 18, 1867, to fill an original vacancy.

William H. Beck, late quartermaster-sergeant of the Sixth Illinois Cavalry, to be second lieutenant in the Tenth Regiment United States Cavalry, June 18, 1867, to fill an original vacancy.

Benjamin D. Boswell, late major of the Second West Virginia Volunteers, to be second lieutenant in the Twenty-ninth Regiment United States Infantry, June 18, 1867, to fill an original vacancy.

Thomas B. Briggs, late lieutenant of the Eleventh United States Colored Artillery, to be second lieutenant in the Third Regiment United States Infantry, June 18, 1867, to fill an original vacancy.

William B. Brunton, late captain of the Second Iowa Cavalry, to be second lieutenant in the Ninth Regiment United States Cavalry, June 18, 1867, to fill an original vacancy.

Monroe Harrison, late captain of the Seventh Missouri Volunteers, to be second lieutenant in the Nineteenth Regiment United States Infantry, June 18, 1867, to fill an original vacancy.

Augustus F. Higgs, late firt lieutenant of the Fourth Regiment Veteran Reserve Corps, to be second lieutenant in the Sixteenth Regiment United States Infantry, June 18, 1867, to fill an original vacancy.

George S. Hoyt, late major of the Seventh Wisconsin Volunteers, to be second lieutenant in the Eighteenth Regiment United States Infantry, June 18, 1867, to fill an original vacancy.

James E. Morrow, late captain of the First West Virginia Infantry, to be second lieutenant in the Fifteenth Regiment United States Infantry, June 18, 1867, to fill an original vacancy.

Charles E. Nordstrom, late private of the First Maine Cavalry, to be second lieutenant in the Tenth Regiment United States Cavalry, June 18, 1867, to fill an original vacancy.

James M. Ropes, late captain of the Second California Cavalry, to be second lieutenant in the Eighth Regiment United States Cavalry, June 18, 1867, to fill an original vacancy.

Osk M. Smith, late first lieutenant and adjutant of the One hundred and fifty-fifth Indiana Volunteers, to be second lieutenant in the Thirty-first Regiment United States Infantry, June 18, 1867, to fill an original vacancy.

Ira Wayland Trask, late first lieutenant of the Eighth Illinois Cavalry, to be second lieutenant in the Ninth Regiment United States Cavalry, June 18, 1867, to fill an original vacancy.

Frederick R. Vincent, late captain of the Second Missouri Cavalry, to be be second lieutenant in the Ninth Regiment United States Cavalry, June 18, 1867, to fill an original vacancy.

Samuel L. Woodward, late major and assistant adjutant-general of Volunteers, to be second lieutenant in the Tenth Regiment United States Cavalry, June 18, 1867, to fill an original vacancy.

Henry F. Liggett, late captain of the Twelfth Ohio Volunteers, to be second lieutenant in the Thirty-eighth Regiment United States Infantry, July 17, 1867, to fill an original vacancy.

James E. Maclin, late captain of the Sixteenth Indiana Infantry, to be second lieutenant in the Thirty-first Regiment United States Infantry, August 9, 1867, to fill an original vacancy.

Edward G. Fast, of the District of Columbia, to be second lieutenant in the Second Regiment United States Artillery, August 17, 1867, to fill an original vacancy.

Joseph M. Califf, late first lieutenant of the Seventh Regiment United States Colored Troops, to be second lieutenant in the Third Regiment United States Artillery, August 17, 1867, to fill an original vacancy.

John S. McEwan, late captain of the Seventh New York Artillery, to be second lieutenant in the Fourth Regiment United States Artillery, August 17, 1867.

Augustine McIntyre, late captain of the One hundred and fourteenth Regiment United States Colored Troops, to be second lieutenant in the Sixteenth Regiment United States Infantry, August 19, 1867, to fill an original vacancy.

Andrew Jackson Kelly, late private of the First Tennessee Cavalry, to be second lieutenant in the Thirty-third Regiment United States Infantry, June 13, 1867, to fill an original vacancy.

Thomas V. Deary, of Ohio, to be second lieutenant in the First Regiment United States Artillery, September 14, 1867, to fill an original vacancy.

Robert H. Patterson, of the District of Columbia, to be second lieutenant in the First Regiment United States Artillery, September 23, 1867, to fill an original vacancy.

Clermont L. Best, jr., of New York, to be second lieutenant in the First Regiment United States Artillery, October 3, 1867, to fill an original vacancy.

Frank M. Gibson, clerk in the Paymaster-General's Office, to be second lieutenant in the Seventh Regiment United States Cavalry, October 5, 1867, to fill an original vacancy.

First Sergeant Rufus Somerly, of Company I, First Regiment United States Cavalry, to be second lieutenant in the Eighth Regiment United States Cavalry, June 18, 1867, to fill an original vacancy.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment in the Army of the United States, as proposed by the Secretary of War *ad interim*.

ANDREW JOHNSON.

WASHINGTON, *December* 3, 1867.

WAR DEPARTMENT,
Washington, December 3, 1867.

SIR: I have the honor to propose for your approbation the following-named persons for appointment in the Army of the United States, under the act approved July 28, 1866, they having passed the examination required by law:

Dudley Seward, late lieutenant-colonel of the Second Ohio Cavalry, to be captain in the Eighth Regiment United States Cavalry, July 28, 1866, to fill an original vacancy.

John B. Callis, late lieutenant-colonel of the Veteran Reserve Corps, to be captain in the Forty-fifth Regiment United States Infantry, March 7, 1867, to fill an original vacancy.

First Lieutenant Frank T. Bennett, of the Thirty-sixth Regiment United States Infantry, to be captain in the Thirty-ninth Regiment United States Infantry, January 22, 1867, to fill an original vacancy.

Isaac S. Catlin, late colonel of the One hundred and ninth New York Volunteers, to be captain in the Forty fifth Regiment United States Infantry, May 6, 1867, to fill an original vacancy.

George B. Carse, late captain of the Veteran Reserve Corps, to be captain in the Forty-fifth Regiment United States Infantry, May 21, 1867, to fill an original vacancy.

First Lieutenant Thomas Shea, of the Forty-fourth Regiment United States Infantry, to be captain in the Forty-fourth Regiment United States Infantry, June 5, 1867, to fill an original vacancy.

First Lieutenant William T. Frohock, of the 15th Regiment United States Infantry, to be captain in the Ninth Regiment United States Cavalry, March 7, 1867, to fill an original vacancy.

George Q. White, late assistant quartermaster of Vols., to be captain in the Forty-fourth Regiment United States Infantry, July 2, 1867, to fill an orignal vacancy.

Charles Wheaton, late captain and commissary of subsistence of Volunteers, to be captain in the Thirty-third Regiment United States Infantry, July 17, 1867, to fill an original vacancy.

Charles D. Beyer, late second lieutenant of the Eighty-first Regiment United States Colored Infantry, to be captain in the Forty-first Regiment United States Infantry, June 6, 1867, to fill an original vacancy.

John M. Hamilton, late first lieutenant of the Ninth Regiment United States Colored Troops, to be captain in the Thirty-ninth Regiment United States Infantry, June 6, 1867, to fill an original vacancy.

James F. Randlett, late lieutenant-colonel of the Third New Hampshire Volunteers, to be captain in the Thirty-ninth Regiment United States Infantry, June 6, 1867, to fill an original vacancy.

Second Lieutenant George W. Yates, of the Second Regiment United States Cavalry, to be captain in the Seventh Regiment United States Cavalry, June 12, 1867, to fill an original vacancy.

First Lieutenant William H. McLaughlin, of the Twenty-sixth United States Infantry, to be captain in the Twenty-sixth Regiment United States Infantry, July 31, 1867, to fill an original vacancy.

First Lieutenant Henry E. Alvord, of the Tenth Regiment United States Cavalry, to be captain in the Tenth Regiment United States Cavalry, July 31, 1867, to fill an original vacancy.

First Lieutenant Francis S. Dodge, of the Ninth Regiment United States Cavalry, July 31, 1867, to fill an original vacancy.

First Lieutenant Theodore A. Boice, of the Ninth Regiment United States Cavalry, to be captain in the Ninth Regiment United States Cavalry, July 31, 1867, to fill an original vacancy.

First Lieutenant Jacob C. De Gress, of the Ninth Regiment United States Cavalry, to be captain in the Ninth Regiment United States Cavalry, July 31, 1867, to fill an original vacancy.

First Lieutenant Charles W. Miner, of the Twenty-eighth Regiment United States Infantry, to be captain in the Twenty-second Regiment United States Infantry, March 7, 1867, to fill an original vacancy.

First Lieutenant Edward M. Heyle, of the Ninth Regiment United States Cavalry, to be captain in the Ninth Regiment United States Cavalry, July 31, 1867, to fill an original vacancy.

George B. Hoge, late colonel of the One hundred and thirteenth Illinois Volunteers, to be captain in the Forty-first Regiment United States Infantry, July 17, 1867, to fill an original vacancy.

First Lieutenant Clarence E. Bennett, of the Sixth Regiment United States Cavalry, to be captain in the Seventeenth Regiment United States Infantry, January 22, 1867, to fill an original vacancy.

First Lieutenant Robert Gray, of the Tenth Regiment United States Cavalry, to be captain in the Tenth Regiment United States Cavalry, July 31, 1867, to fill an original vacancy.

First Lieutenant Lucius H. Warren, of the Thirty-ninth Regiment United States Infantry, to be captain in the Thirty-ninth Regiment United States Infantry, July 13, 1867, to fill an original vacancy.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December* 3, 1867.

WAR DEPARTMENT,
Washington, December 3, 1867.

SIR: I have the honor to propose for your approbation the following-named persons for appointment in the Army of the United States:

MEDICAL DEPARTMENT.

To be assistant surgeons.

Charles Mackin, jr., of Massachusetts, May 14, 1867, vice Allen, resigned.

Archibald B. Campbell, of Pennsylvania, October 9, 1867, vice Conner, resigned.

John N. Randall, of Illinois, October 9, 1867, vice Lindsley, deceased.

William J. Wilson, of Missouri, October 9, 1867, vice McDonald, deceased.

Jenkins A. Fitzgerald, of Indiana, October 9, 1867, vice Town, promoted.

Joseph H. T. King, of New York, October 9, 1867, vice Mackenzie, deceased.

Joseph K. Corson, of Pennsylvania, October 9, 1867, vice Petherbridge, deceased.

Alfred Delany, of Pennsylvania, October 9, 1867, vice Hornor, deceased.

William H. H. Michler, of Pennsylvania, October 9, 1867, vice Breneman, resigned.

Daniel Weisel, of Maryland, October 9, 1867, vice Lee, resigned.

Peter J. A. Cleary, of New York, October 9, 1867, vice Mechem, promoted.

Julius H. Patzki, of Pennsylvania, November 11, 1867, vice Bell, resigned.

Charles Styer, of Pennsylvania, October 9, 1867, vice Wilson, resigned.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment as commissioners under the act approved March 29, 1867, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December* 3, 1867.

WAR DEPARTMENT,
Washington, December 3, 1867.

SIR: I have the honor to propose for your approbation the names of William R. King, of Kentucky, and George A. Magnire, of Missouri, for appointment as commissioners, under the act approved March 29, 1867, to reimburse the State of Indiana for moneys expended for the United States in enrolling, equipping, and provisioning militia to aid in suppressing the rebellion.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December* 3, 1867.

WAR DEPARTMENT,
Washington, December 3, 1867.

SIR: I have the honor to propose for your approbation the following-named officer for appointment in the Army of the United States, under the act approved July 28, 1866:

Inspector-General's Department.

Major Nelson H. Davis, assistant inspector-general United States Army, to be assistant inspector-general with the rank of lieutenant-colonel, June 13, 1867, to fill an original vacancy.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December* 3, 1867.

WAR DEPARTMENT,
Washington, December 3, 1867.

SIR: I have the honor to propose for your approbation the following-named persons for appointment in the Army of the United States:

To be chaplains.

George P. Van Wyck, of New York, August 7, 1867, vice Harris, retired.

Vincent Palen, late hospital chaplain United States Volunteers, September 11, 1867, vice Burke, retired.

Edmund B. Tuttle, late hospital chaplain United States Volunteers, September 20, 1867, vice Grier, retired.

George D. Crocker, late chaplain of the Sixteenth New York Cavalry, October 3, 1867, vice Hurlbut, retired.

Thaddeus B. M. Falls, late hospital chaplain United States Volunteers, October 4, 1867, vice Springer, resigned.

Gamaliel Collins, of Pennsylvania, October 10, 1867, vice McCarty, retired.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

WAR DEPARTMENT,
Washington, December 3, 1867.

SIR: I have the honor to propose for your approbation the following-named person for appointment in the Army of the United States, under the act approved July 28, 1866:

Medical Department.

Florence O. Donnoghue, late acting assistant surgeon United States Army, to be medical storekeeper, August 3, 1867, to fill an original vacancy.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the person named in the accompanying communication for appointment in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December* 3, 1867.

To the Senate of the United States:

I nominate the person named in the accompanying communication for appointment in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December* 3, 1867.

WAR DEPARTMENT,
Washington, December 3, 1867.

SIR: I have the honor to propose for your approbation the following-named person for appointment in the Army of the United States, under the act approved July 28, 1866:

MEDICAL DEPARTMENT.

To be assistant surgeon.

Richard S. Vickery, of Michigan, May 14, 1867, to fill an original vacancy.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for reinstatement in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December* 3, 1867.

WAR DEPARTMENT,
Washington, December 3, 1867.

SIR: I have the honor to propose for your approbation the following-named officers for reinstatement in the Army of the United States:

Fourth Regiment of Artillery.

Frederick M. Follett, late captain in the Fourth Regiment of Artillery, to be captain, to date from September 3, 1861, the order cashiering him having been revoked.

Fifteenth Regiment of Artillery.

George W. Fetterman, late captain in the Fifteenth Regiment of Infantry, to be captain, to date from February 25, 1865, the order cashiering him having been revoked (since deceased).

Fifth Regiment of Cavalry.

Robert F. Stockton, late first lieutenant in the Fifth Regiment of Cavalry, to be first lieutenant, to date from October 26, 1861, the acceptance of his resignation having been revoked.

Third Regiment of Artillery.

Edmund Pendleton, late first lieutenant in the Third Regiment of Artillery, to be first lieutenant, to date from October 26, 1861, the order dismissing him having been revoked.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for reinstatement and appointment in the Army of the United States, as proposed by the Secretary of War.

ANDREW JOHNSON.

WASHINGTON, *December* 3, 1867.

WAR DEPARTMENT,
Washington, December 3, 1867.

SIR: I have the honor to propose for your approbation the following-named officer for reinstatement in the Army of the United States and for appointment in the new regiment to which, had he remained in service, he would have been assigned, under the act of July 28, 1866, the order dismissing him having been revoked:

Thirty fourth Regiment of Infantry.

James Kelly, late captain in the Sixteenth Regiment of Infantry, to be captain, to date from October 26, 1861.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment in the Army of the United States, as proposed by the Secretary of War.

ANDREW JOHNSON.

WASHINGTON, *December* 3, 1867.

WAR DEPARTMENT,
Washington, December 3, 1867.

SIR: I have the honor to propose for your approbation the following-named officer, formerly of the 2nd Battalion of the Fifteenth Regiment of Infantry, for appointment in the new regiment to which he has been assigned, under the act approved July 28, 1866:

THIRTY-FOURTH REGIMENT OF INFANTRY.

To be major.

Major Nathan A. M. Dudley, of the Fifteenth Regiment of Infantry, to date from September 13, 1864.

I am, sir, with great respect, your obedient servant,

U. S. GRANT.
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I desire the consent of the Senate to the correction of certain clerical errors, which occurred in nominating for their confirmation at a previous session, the officers named in the accompanying communication, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December* 3, 1867.

WAR DEPARTMENT.
Washington, December 3, 1867.

SIR: I respectfully invite your attention to and propose the correction of certain clerical errors which occurred in nominating persons to the Senate, at a previous session, for appointment in the Army and for brevet appointment in the Regular and Volunteer forces. These errors appear in the names of officers and in some few instances in stating the services of these officers for whom brevet had been proposed:

Appointments in the Army.

The date of rank of Alexander McD. McCook, confirmed on the 11th March, 1867, to be lieutenant-colonel of the Twenty-sixth Infantry, should read "March 5," instead of "February 5," 1867.

The date of rank of Godfrey Weitzel, confirmed on the 11th March, 1867, to be major in the Corps of Engineers, should read "August 8," instead of "August 6, 1866."

The name of John H. Graves, confirmed on the 1st March, 1867, to be captain in the Thirty-fourth Infantry, should read "Charles H. Graves."

The name of James M. Kennedy, confirmed on the 23d July, 1866, to be second lieutenant in the Sixteenth Infantry, should read "Joseph M. Kennedy."

The name of Stephen Conner, confirmed on the 1st March, 1867, to be second lieutenant in the Eighth Infantry, should read "Stephen O'Connor."

The date of rank of George K. Brady, confirmed on the 2nd March, 1867, to be captain in the Twenty-third Infantry, should read "10 June, 1864," instead of "10 June, 1863."

In the case of Second Lieutenant Frank T. Adams, confirmed on the 11th March, 1867, for the promotion of first lieutenant in the Thirty-third Infantry, "17 January, 1867, vice Corliss, the regimental quartermaster," read "vice Knapp, the regimental adjutant," with the same date of rank.

Brevet appointments in the Army.

The date of rank of Charles P. Kingsbury, confirmed on the 23d July, 1866, to be colonel and lieutenant-colonel by brevet should read, in each case, "March 13, 1865," instead of "September 25, 1865."

The date of rank of William H. Sidell, confirmed on the 23d July, 1866, to be colonel by brevet, should read "March 13, 1865," instead of "March 30, 1865."

The date of rank of Charles E. Blunt, confirmed on the 2nd March, 1867, to be colonel by brevet, should read "June 30, 1866," instead of "March 13, 1865."

The date of rank of Oliver L. Shepherd, confirmed on the 2nd March, 1867, to be colonel by brevet, should read "May 17, 1862," instead of

"October 4, 1862," and the services should read "for gallant and meritorious services at the siege of Corinth, Mississippi," instead of "at the battle of Corinth, Mississippi."

The date of rank of Evarts S. Ewing, confirmed on the 8th April, 1867, to be captain and major by brevet, should read "March 2, 1867," instead of "March 13, 1865."

The date of rank of John R. McGinniss, confirmed on the 27th July, 1866, to be captain by brevet, should read "March 1, 1864," instead of "September 7, 1863."

The date of rank of James B. Hazelton, confirmed on the 2nd March, 1867, to be first lieutenant and captain by brevet, should read "March 2, 1867," instead of "March 13, 1867."

Brevet appointments in the Volunteer force.

In the case of G. W. Cummings, confirmed on the 30th March, 1867, to be brigadier-general by brevet, the services should read "for gallant and meritorious services during the operations before and the capture of the enemy's forces at Island No. 10 in the Mississippi River," instead of "for gallant and meritorious services at the battle of Island No. 10 in the Tennessee River."

The date of rank of A. B. Spurling, confirmed on the 10th April, 1866, to be brigadier-general by brevet, should read "March 26, 1865," instead of "March 13, 1865."

The date of rank of Thomas J. C. Amory, confirmed on the 12th March, 1866, to be brigadier-general by brevet, should read "October 1, 1864," instead of "March 13, 1865."

The date of rank of Henry R. West, confirmed on the 12th March, 1866, to be brigadier-general by brevet, should read "April 2, 1865," instead of "July 13, 1865."

In the case of Isaac S. Tichenor, confirmed on the 18th March, 1867, to be colonel by brevet and lieutenant-colonel by brevet, read "to be lieutenant-colonel by brevet for gallant and meritorious services at the battle of Chantilly, Virginia, September 1, 1862," and colonel by brevet "for gallant and meritorious services at the battle of Fredericksburg, Virginia, December 13, 1862," instead of "to be lieutenant-colonel by brevet and colonel by brevet for gallant and meritorious services during the war."

William S. Truex, confirmed on the 5th February, 1866, to be lieutenant-colonel by brevet, should have been nominated and confirmed as "colonel of the Fourteenth New Jersey Volunteers, to be brigadier-general of Volunteers by brevet."

In the case of John N. Hiltz, confirmed on the 13th April, 1867, to be lieutenant-colonel by brevet and major by brevet, after the word "services" insert in each case the words "during the war and especially"; so as to read "for gallant and meritorious services during the war, and especially at the battle of Winchester, Virginia."

In the case of Alonzo Churchill, confirmed on the 16th April, 1867, to be lieutenant-colonel by brevet, instead of "for gallant and meritorious services" read "for faithful and meritorious services."

The name of C. W. Blakeley, confirmed on the 21st February, 1867, to be major by brevet, should read "C. W. Wakeley."

The name of F. A. Picknell, confirmed on the 26th April, 1866, to be major by brevet, should read "F. A. Bicknell."

In the case of Henry M. Connelly, confirmed on the 2d March, 1867, to be captain by brevet, read "for gallant and meritorious services in

the attack on the enemy's second line in rear of Fort Harrison, Virginia, on the 29th September, 1864," instead of "for gallant and meritorious services in the attack on the enemy's second line in rear of Fort Harrison, Virginia, on the 28th September, 1864."

The name of John M. Dickey, confirmed on the 19th July, 1867, to be brigadier-general by brevet, should read "John M. Lindley."

The date of rank of John B. Eaton, confirmed on the 19th of July, 1867, to be lieutenant-colonel by brevet, should read "April 2d," instead of "March 13, 1865," and the date of the action before Petersburg, "June 17, 1864," should be omitted from the statement of the services.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December 3d*, 1867.

WAR DEPARTMENT,
Washington, December 3, 1867.

SIR: I have the honor to propose for your approbation the following-named persons for appointment in the Army of the United States, they having passed the examination required by law:

Charles A. Booth, of New York, to be second lieutenant in the First Regiment United States Infantry, March 7, 1867, vice Dry, promoted.

Will W. Dougherty, of Indiana, to be second lieutenant in the Eighteenth Regiment United States Infantry, March 7, 1867, vice Counselman, promoted.

Charles M. Bailey, of Massachusetts, to be second lieutenant in the Eighth Regiment United States Infantry, March 7, 1867, vice Aldrich, promoted.

Edward W. Thompson, of Maine, to be second lieutenant in the 19th Regiment United States Infantry, March 7, 1866, vice Wilson, promoted.

William H. Campion, late second lieutenant of the Fifth New Jersey Volunteers, to be second lieutenant in the Eighteenth Regiment United States Infantry, January 22, 1867, vice Grummond, deceased.

John L. Lambert, late captain of the Ninth Iowa Cavalry, to be second lieutenant in the Fifth Regiment United States Infantry, March 7, 1867, vice Dugan, resigned.

Adalbert Fell, late captain of the Veteran Reserve Corps, to be second lieutenant in the Twenty-first Regiment United States Infantry, March 7, 1867, vice Fogg, deceased.

Phineas P. Barnard, late assistant quartermaster of Volunteers, to be second lieutenant in the Fourth Regiment United States Infantry, March 7, 1867, vice Badeau, promoted.

Henry Ayers, late first lieutenant of the Signal Corps United States Volunteers, to be second lieutenant in the Third Regiment United States Cavalry, March 7, 1867, vice Vroom, promoted.

Charles H. Leonard, of Pennsylvania, to be second lieutenant in the Thirty-first Regiment United States Infantry, March 7, 1867, vice Goodfellow, declined.

Thomas A. Reily, late private of the One hundred and ninety-fifth Pennsylvania Volunteers, to be second lieutenant in the Fifth Regiment United States Infantry, March 7, 1867, vice Wood, promoted.

John Gotshall, of Pennsylvania, to be second lieutenant in the Twenty-sixth Regiment United States Infantry, March 7, 1867, vice Gibson, promoted.

John C. Bateman, late first lieutenant Ninety-fifth Ohio Volunteers, to be second lieutenant in the Second Regiment United States Infantry, March 7, 1867, vice Harkins, promoted.

George R. Walbridge, late captain of the Veteran Reserve Corps, to be second lieutenant in the Sixth Regiment United States Infantry, March 7, 1867, vice Badger, promoted.

Earl M. Rogers, late lieutenant Sixth Wisconsin Volunteers, to be second lieutenant in the Third Regiment United States Infantry, March 7, 1867, vice Beecher, promoted.

Wharton White, of Pennsylvania, to be second lieutenant in the Twentieth Regiment United States Infantry, March 7, 1867, vice Latchford, promoted.

James W. Letherbury, late second lieutenant of the Second Delaware Volunteers, to be second lieutenant in the Seventeenth Regiment United States Infantry, March 7, 1867, vice Ebbets, transferred to the Twenty-sixth Infantry.

Richard H. Rousseau, of Kentucky, to be second lieutenant in the First Regiment United States Cavalry, May 3, 1867, vice Cilley, promoted.

John P. Peterson, late private Sixteenth Regiment United States Infantry, to be second lieutenant in the Twenty-seventh Regiment United States Infantry, May 3, 1867, vice Manning, promoted.

Ephoriam Tillotson, late second lieutenant One hundred and twenty-second Regiment United States Colored Troops, to be second lieutenant in the Twenty-seventh Regiment United States Infantry, May 6, 1867, vice Halleck, promoted.

Stanley D. Humason, late first lieutenant of the One hundred and fourth Ohio Volunteers, to be second lieutenant in the Thirty-fourth Regiment United States Infantry, March 7, 1867, vice Wheelock, resigned.

Scott H. Robinson, late captain of the Sixth Kentucky Cavalry, to be second lieutenant in the Third Regiment United States Cavalry, March 7, 1867, vice Smith, whose appointment has been canceled.

John W. Jordan, late second lieutenant Third Regiment Maryland Infantry, to be second lieutenant in the Thirty-seventh Regiment United States Infantry, May 6, 1867, vice Jones, resigned.

Charles R. Hinton, of the District of Columbia, to be second lieutenant in the Twenty-fifth Regiment United States Infantry, May 6, 1867, vice Conway, promoted.

Cecil R. Banks, of Pennsylvania, to be second lieutenant in the Twenty-first Regiment United States Infantry, May 6, 1867, vice Rogers, promoted.

Lewis A. Arnold, of Massachusetts, to be second lieutenant in the First Regiment United States Infantry, May 7, 1867, vice Spaulding, promoted.

John K. Waring, of New York, to be second lieutenant in the Second Regiment United States Infantry, May 8, 1867, vice Maize, promoted.

William Borthwick, of Pennsylvania, to be second lieutenant in the Sixth Regiment United States Cavalry, May 9, 1867, vice Nesmith, promoted.

Alexander M. Wetherill, of Pennsylvania, to be second lieutenant in the Sixth Regiment United States Infantry, May 9, 1867, vice Day, promoted.

Charles Humphreys, late lieutenant First New York Artillery, to be second lieutenant in the Third Regiment United States Artillery, May 9, 1867, vice Bingham, declined.

Philip Reade, of Massachusetts, to be second lieutenant in the Third Regiment United States Infantry, May 13, 1867, vice Thomas, promoted.

Thomas G. Tracy, late first lieutenant Thirtieth Regiment New York Infantry, to be second lieutenant in the Ninth Regiment United States Infantry, March 7, 1867, vice Morton, promoted.

Harrison Holt, late first lieutenant Thirtieth Regiment New York Infantry, to be second lieutenant in the Sixth Regiment United States Cavalry, May 15, 1867, vice Kramer, promoted.

Adolphus W. Greely, late major Eighty-first Regiment United States Colored Troops, to be second lieutenant in the Thirty-sixth Regiment United States Infantry, March 7, 1867, vice Wands, promoted.

William W. Wood, of Pennsylvania, to be second lieutenant in the Thirty-second Regiment United States Infantry, May 15, 1867, vice Owen, promoted.

Thomas M. Wenie, late captain of the Second Delaware Volunteers, to be second lieutenant in the Twenty-eighth Regiment United States Infantry, March 7, 1867, vice Styles, promoted.

Frederick W. Thibaut, late captain of the Veteran Reserve Corps, to be second lieutenant in the Sixth Regiment United States Infantry, January 22, 1867, vice Jocelyn, promoted.

Artificer Thomas Blair, of Company D, United States Engineers Battalion, to be second lieutenant in the Fifteenth Regiment United States Infantry, May 22, 1867, vice Ballantine, promoted.

First Sergeant James Davidson, of Company D, United States Engineers Battalion, to be second lieutenant in the Twenty-ninth Regiment United States Infantry, May 22, 1867, vice Guthrie, promoted.

Hospital Steward William Gerlach, United States Army, to be second lieutenant in the Thirty-seventh Regiment United States Infantry, May 22, 1867, vice Kent, declined.

Alured Larke, late captain Fifth Regiment United States Veteran Volunteers, to be second lieutenant in the Twenty-sixth Regiment United States Infantry, March 7, 1867, vice Peterson, promoted.

David Q. Rousseau, of Kentucky, to be second lieutenant in the Fifth Regiment United States Infantry, March 7, 1867, vice Lewis, promoted.

James L. Hunt, late lieutenant-colonel of the Thirty-second Maine Volunteers, to be second lieutenant in the Thirty-second Regiment United States Infantry, March 7, 1867, vice Lewis, promoted.

Sergeant Charles E. Bottsford, of Company A, Tenth Regiment United States Infantry, to be second lieutenant in the Tenth Regiment United States Infantry, May 29, 1867, vice Morrison, promoted.

William Henry Hick, late major First New Jersey Volunteers, to be second lieutenant in the Fourth Regiment United States Cavalry, March 7, 1867, vice Alman, promoted.

Lewis S. Chase, of New York, to be second lieutenant in the Twenty-fourth Regiment United States Infantry, March 7, 1867, vice Anderson, resigned.

Frederick L. Dodge, late first lieutenant of the Eighteenth Regiment New Hampshire Volunteers, to be second lieutenant in the Twenty-

third Regiment United States Infantry, March 7, 1867, vice Stille, promoted.

William Kapus, late first lieutenant Washington Territory Volunteers, to be second lieutenant in the Thirteenth Regiment United States Infantry, March 7, 1867, vice Codding, promoted.

Charles A. Rossander, late lieutenant Third Rhode Island Heavy Artillery, to be second lieutenant in the Sixth Regiment United States Cavalry, June 5, 1867, vice Wilson, deceased.

Robert Earle Bradford, late private Second Ohio Volunteer Infantry, to be second lieutenant in the Fifteenth Regiment United States Infantry, June 6, 1867, vice Schall, promoted.

Horace P. Sherman, late hospital steward Eighteenth Regiment Massachusetts Volunteers, to be second lieutenant in the Thirty-fifth Regiment United States Infantry, June 8, 1867, vice Crafts, appointed captain in the Twenty-sixth Infantry.

Sergeant-Major Henry S. Pearer, of the Twenty-first Regiment United States Infantry, to be second lieutenant in the Second Regiment United States Cavalry, June 8, 1867, vice Gregg, promoted.

Sergeant-Major William Stephenson, of the Thirteenth Regiment United States Infantry, to be second lieutenant in the Twenty-seventh Regiment United States Infantry, June 8, 1867, vice Paulus, promoted.

Alfred B. Bache, of Pennsylvania, to be second lieutenant in the Fifth Regiment United States Cavalry, March 7, 1867, vice Hayes, promoted.

John W. Hopkins, late commissary of subsistence of Volunteers, to be second lieutenant in the First Regiment United States Cavalry, March 7, 1867, vice Forse, promoted.

Frank K. Upham, late second lieutenant of the Seventh California Infantry, to be second lieutenant in the First Regiment United States Cavalry, March 7, 1867, vice Parnell, promoted.

Leonard Wightman, late first lieutenant Fifth Battery Michigan Artillery, to be second lieutenant in the Third Regiment United States Cavalry, May 29, 1866, vice Lawson, promoted.

Lewis Warrington, of the District of Columbia, to be second lieutenant in the Fourth Regiment United States Cavalry, June 18, 1867, vice Bertrand, deceased

Royal E. Whitman, late lieutenant-colonel of the Twenty-eighth Maine Volunteers, to be second lieutenant in the Third Regiment United States Cavalry, July 2, 1867, vice Clifford, promoted.

Theodore W. Wing, late adjutant of the Thirty-fifth Kentucky Mounted Infantry, to be second lieutenant in the Fourth Regiment United States Cavalry, May 27, 1867, vice Bernhart, promoted.

David R. Burnham, late captain of the Sixty-seventh Pennsylvania Volunteers, to be second lieutenant in the Thirty-fifth Regiment United States Infantry, June 18, 1867, vice Woodall, declined.

Hampden S. Cottrell, late first lieutenant of the Thirtieth Regiment United States Colored Troops, to be second lieutenant in the Thirty-ninth Regiment United States Infantry, June 18, 1867, vice Courtney, promoted.

Irwin M. Starr, late captain of the Fourth Provisional New York Cavalry, to be second lieutenant in the Ninth Regiment United States Cavalry, July 24, 1867, vice Birney, promoted.

Ambrose B. Curtiss, clerk in the Quartermaster-General's Office, to be second lieutenant in the Eighth Regiment United States Cavalry, August 19, 1867, vice Wells, appointed first lieutenant.

James F. Simpson, late captain of the Fourteenth Connecticut Volunteers, to be second lieutenant in the Fortieth Regiment United States Infantry, August 17, 1867, vice Long, appointed first lieutenant.

William H. Sloan, late lieutenant of the Thirty-first Regiment United States Colored Troops, to be second lieutenant in the Eleventh Regiment United States Infantry, June 5, 1867, vice Shepherd, promoted.

Isaac N. Walter, late first lieutenant of the Forty-seventh Ohio Volunteers, to be second lieutenant in the Sixth Regiment United States Cavalry, April 24, 1867, vice Majtheny, promoted.

William C. Bayliss, of the District of Columbia, to be second lieutenant in the Fourth Regiment United States Cavalry, May 17, 1867, vice Boehm, promoted.

George P. Belden, of Nebraska, to be second lieutenant in the Second Regiment United States Cavalry, June 10, 1867, vice Bingham, deceased.

Peter V. Haskin, late first lieutenant in the Sixth New York Veteran Volunteer Cavalry, to be second lieutenant in the Fifth Regiment United States Cavalry, June 13, 1867, vice Stockton, promoted.

Luther M. Longshaw, of Kentucky, to be second lieutenant in the Thirtieth Regiment United States Infantry, June 18, 1867, vice Davidson, resigned.

William L. Wann, jr., of Ohio, to be second lieutenant in the Thirteenth Regiment United States, July 2, 1867, vice Townsend, promoted.

George S. Wilson, late first lieutenant in the Seventeenth Indiana Volunteers, to be second lieutenant in the Twelfth Regiment United States Infantry, July 2, 1867, vice Craigie, the regimental adjutant.

Lemuel A. Abbott, late captain of the Tenth Vermont Volunteers, to be second lieutenant in the Sixth Regiment United States Cavalry, July 2, 1867, vice Wiley, promoted.

Hiram H. Benner, late captain of the Eighteenth Regiment United States Infantry, June 18, 1867, vice Hibbetts, whose appointment has been canceled.

David R. Burnham, late captain of the Sixty-seventh Pennsylvania Volunteers, to be second lieutenant in the Thirty-fifth Regiment United States Infantry, June 18, 1867, vice Woodall, declined.

Henry B. Chamberlain, late second lieutenant of the One hundred and eighth Regment United States Colored Infantry, to be second lieutenant in the Twenty-sixth Regiment United States Infantry, June 18, 1867, vice Thompson, whose appointment has been canceled.

William A. Clark, late captain of the Thirty-fifth Iowa Volunteers, to be second lieutenant in the Thirtieth Regiment United States Infantry, June 18, 1867, vice Hayes, promoted.

Samuel F. Hamilton, late sergeant of the Fifteenth Pennsylvania Cavalry, to be second lieutenant in the Second Regiment United States Cavalry, June 18, 1867, vice Yates, the regimental quartermaster.

William L. English, late lieutenant of the One hundred and first Illinois Volunteers, to be second lieutenant in the Seventh Regiment United States Infantry, June 18, 1867, vice Schenofsky, transferred to the Fifth Cavalry.

William W. McCammon, late captain and assistant adjutant-general of Volunteers, to be second lieutenant in the Fourteenth Regiment United States Infantry, June 18, 1867, vice Boggs, whose appointment has been canceled.

W. H. Miller, late captain of the Forty-eighth Indiana Volunteers, to be second lieutenant in the Twenty-seventh Regiment United States Infantry, June 18, 1867, vice Bowman, promoted.

Benjamin M. Piatt, late major and assistant adjutant-general of Volunteers, to be second lieutenant in the Forty fourth Regiment United States Infantry, July 2, 1867, vice Marcotte, promoted.

A. Sidney Smith, late captain of the Fifth Kentucky Volunteers, to be second lieutenant in the Thirty-seventh Regiment United States Infantry, June 18, 1867, vice Baird, promoted.

Henry Sweeney, late captain of the Sixtieth Regiment United States Colored Troops, to be second lieutenant in the Fifteenth Regiment United States Infantry, June 18, 1867, vice Wilbur, whose appointment has been canceled.

William N. Williams, late first lieutenant of the Sixth Indiana Volunteers, to be second lieutenant in the Third Regiment United States Infantry, June 18, 1867, vice Bonsall, the regimental adjutant.

Josiah Chance, late captain of the One hundred and twenty-seventh Regiment United States Colored Troops, to be second lieutenant in the Seventeenth United States Infantry, July 22, 1867, vice Corbin, appointed captain in the Thirty-eighth Infantry.

Thomas B. Reed, late captain of the Two hundred and fifth Pennsylvania Volunteers, to be second lieutenant in the Twenty-ninth Regiment United States Infantry, July 22, 1867, vice Hoffman, promoted.

Edward W. Ward, of Kentucky, to be second lieutenant in the Fifth Regiment United States Cavalry, July 22, 1867, vice Wade, appointed captain Eighth Cavalry.

Hundley S. Maloney, of Tennessee, to be second lieutenant in the Thirty-third Regiment United States Infantry, July 22, 1867, vice Walters, promoted.

Isaac O. Shelly, late private of the Twenty-fifth Iowa Volunteers, to be second lieutenant in the Thirty-fourth Regiment United States Infantry, July 25, 1867, vice Hunter, declined.

Oscar Elting, of New York, to be second lieutenant in the Third Regiment United States Cavalry, July 22, 1867, vice Lee, deceased.

Private Calvin T. Speer, of Company H, Second Regiment United States Infantry, to be second lieutenant in the Eighth Regiment United States Infantry, July 27, 1867, vice Perkins, promoted.

William A. Thompson, late quartermaster-sergeant of the First Maryland Veteran Volunteers, to be second lieutenant in the Fourth Regiment United States Cavalry, June 18, 1867, vice Hemphill, promoted.

James Curry, late commissary of subsistence of Volunteers, to be second lieutenant in the Fifth Regiment United States Artillery, June 18, 1867, vice Humphrey, transferred to the Fourth Artillery.

John T. McMann, late first lieutenant of the First Michigan Engineers, to be second lieutenant in the First Regiment United States Infantry, March 7, 1867, vice Worden, promoted.

Private Frank H. Palmer, of Company H, Twenty-fourth Regiment United States Infantry, to be second lieutenant in the Thirty-sixth Regiment United States Infantry, August 7, 1867, vice Liddell, resigned.

Edward J. Smith, late lieutenant of the One hundred and eighty-second Pennsylvania Volunteers, to be second lieutenant in the Twenty-second Regiment United States Infantry, August 7, 1867, vice Ketchum, promoted.

Martin E. O. Brien, late captain of the Second Arkansas Cavalry, to be second lieutenant in the Second Regiment United States Cavalry, August 7, 1867, vice Parker, promoted.

James H. Whitten, of Indiana, to be second lieutenant in the Fifth Regiment United States Infantry, July 17, 1867, vice Eckley, deceased.

Charles H. Pettit, of the District of Columbia, to be second lieutenant in the Second Regiment of Cavalry, August 7, 1867, vice McElroy, appointed captain in the Eighth Cavalry.

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Porter Haden, late of the First California Cavalry, to be second lieutenant in the Eighth Regiment United States Cavalry, August 10, 1867, vice McCleave, promoted.

John Anderson, late lieutenant of the Veteran Reserve Corps, to be second lieutenant in the Twenty-fifth Regiment United States Infantry, August 10, 1867, vice Kennedy, promoted.

Albert Austin, late first lieutenant of the Eleventh Connecticut Volunteers, to be second lieutenant in the Fourteenth Regiment United States Infantry, August 9, 1867, vice Schultze, the regimental quartermaster.

Frank P. Gross, late lieutenant of the Twentieth Regiment Veteran Reserve Corps, to be second lieutenant in the Ninth Regiment United States Cavalry, August 9, 1867, vice Parker, appointed first lieutenant.

John F. Weston, late major of the Fourth Kentucky Cavalry, to be second lieutenant in the Seventh Regiment United States Cavalry, August 9, 1867, vice Brewster, promoted.

Eugene D. Dimmick, late captain of the Fifth New York Cavalry, to be second lieutenant in the Ninth Regiment United States Cavalry, August 9, 1867, vice Humfreeville, the regimental quartermaster.

William L. Porter, late captain and assistant adjutant-general of Volunteers, to be second lieutenant in the Fifth Regiment United States Cavalry, August 9, 1867, vice Payne, promoted.

Jacob H. Shellabarger, of Ohio, to be second lieutenant in the Seventh Regiment United States Cavalry, August 12, 1867, vice Bell, promoted.

Wallace Tear, late first lieutenant of the Fourteenth Regiment United States Colored Troops, to be second lieutenant in the Fortieth Regiment United States Infantry, August 9, 1867, vice Kendall, appointed first lieutenant.

Eugene Pickett, late captain of the Veteran Reserve Corps, to be second lieutenant in the Twelfth Regiment United States Infantry, August 9, 1867, vice Hammon, promoted.

John A. Arthur, late captain of the Eighth Kentucky Cavalry, to be second lieutenant in the Second United States Cavalry, August 9, 1867, vice Kidder, deceased.

Henry W. Smith, late major and assistant adjutant-general of Volunteers, to be second lieutenant in the Third Regiment United States Cavalry, August 9, 1867, vice ———, to be appointed regimental commissary.

Amos Webster, late assistant quartermaster of Volunteers, to be second lieutenant in the Fifth Regiment United States Cavalry, March 7, 1867, vice Jayne, declined.

Edward Law, of Pennsylvania, to be second lieutenant in the Seventh Regiment United States Cavalry, August 15, 1867, vice Cox, appointed captain Tenth Cavalry.

Henry M. Kendall, late sergeant of the Fifth Indiana Battery, to be second lieutenant in the Sixth Regiment United States Cavalry, July 17, 1867, vice Dixon, deceased.

First Sergeant John Murphy, of Company I, Fifth Regiment United States Artillery, to be second lieutenant in the Fourteenth Regiment United States Infantry, August 16, 1867, vice Greene, promoted.

Henry Walworth Smith, of Massachusetts, to be second lieutenant in the Seventh Regiment United States Cavalry, August 17, 1867, vice Cook, appointed first lieutenant.

George F. Mason, of Michigan, to be second lieutenant in the Fifth Regiment United States Cavalry, August 19, 1867, vice Brady, promoted.

James W. Steele, of Kansas, to be second lieutenant in the Thirty-eighth Regiment United States Infantry, August 19, 1867, vice Morgan, promoted.

George H. Budd, late captain of the Second Iowa Cavalry, to be second lieutenant in the Ninth Regiment United States Cavalry, August 17, 1867, vice Rucker, promoted.

George K. Spencer, late captain of the Thirty-fifth Indiana Volunteers, to be second lieutenant in the Nineteenth Regiment United States Infantry, August 17, 1867, vice Cardin, promoted.

Donald McIntosh, clerk in the Quartermaster's Department, to be second lieutenant in the Seventh Regiment United States Cavalry, August 17, 1867, vice Wallingford, promoted.

Walter A. Newton, of Pennsylvania, to be second lieutenant in the Thirty-fourth Regiment United States Infantry, August 17, 1867, vice Drew, promoted.

William R. Harmon, late first lieutenant of the Seventieth Ohio Volunteers, to be second lieutenant in the Tenth Regiment United States Cavalry, August 17, 1867, vice Badger, promoted.

J. Edwin Leas, of Indiana, to be second lieutenant in the Fifth Regiment United States Cavalry, August 17, 1867, vice Rodgers, promoted.

John H. Todd, late of the ——— Kentucky Volunteers, to be second lieutenant in the Eighteenth Regiment United States Infantry, August 22, 1867, vice Galbreath, promoted.

David L. Craft, late second lieutenant of the Signal Corps, to be second lieutenant in the Sixth Regiment United States Infantry, August 24, 1867, vice Fleming, promoted.

William F. Denney, late of the First Regiment United States Colored Heavy Artillery, to be second lieutenant in the Thirty-second Regiment United States Infantry, August 24, 1867, vice Macomber, promoted.

David B. Abraham, late first lieutenant of the Ninth Regiment United States Colored Cavalry, to be second lieutenant in the Thirty-sixth Regiment United States Infantry, August 24, 1867, vice Hendee, promoted.

James R. Cranston, late captain of the One hundred and nineteenth Regiment United States Colored Troops, to be second lieutenant in the Tenth Regiment United States Infantry, August 24, 1867, vice Stretch, the regimental adjutant.

Adolphus H. Von Luettwitz, late captain of the United States Veteran Volunteers, to be second lieutenant in the Third Regiment United States Cavalry, August 30, 1867, vice Van Wankle, cashiered.

Harry L. Haskell, late captain of the One hundred and twenty-fifth New York Volunteers, to be second lieutenant in the Twelfth Regiment United States Infantry, August 30, 1867, vice Nolen, promoted.

Charles Sellmer, late captain of the Eleventh Maine Volunteers, to be second lieutenant in the Second Regiment United States Infantry, September 2, 1867, vice Werninger, promoted.

Robert S. Fletcher, of the District of Columbia, to be second lieutenant in the Eighth Regiment United States Infantry, September 3, 1867, vice Deweese, resigned.

John L. Bullis, late captain of the One hundred and eighteenth Regiment United States Colored Troops, to be second lieutenant in the Forty-first Regiment United States Infantry, September 3, 1867, vice Lawton, promoted.

Dominick Lynch, jr., of New York, to be second lieutenant in the Fourth Regiment United States Cavalry, September 3, 1867, vice Moberly, promoted.

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Ocran H. Howard, late captain Signal Corps, to be second lieutenant in the Fifth Regiment United States Artillery, September 3, 1867, vice Wierman, transferred to the Fourth Artillery.

Charles M. Rockefeller, of New York, to be second lieutenant in the Ninth Regiment United States Infantry, September 3, 1867, vice Foot, promoted.

John McE. Hyde, of New York, to be second lieutenant in the Thirty-third Regiment United States Infantry, September 3, 1867, vice Powell, promoted.

William L. Sherwood, of New York, to be second lieutenant in the Twenty-first Regiment United States Infantry, September 3, 1867, vice Rafferty, resigned.

Frank C. Morehead, of Missouri, to be second lieutenant in the Fifth Regiment United States Cavalry, September 4, 1867, vice ———, to be appointed regimental commissary.

Henry R. Brinkerhoff, late lieutenant-colonel of the Fifty-second Regiment United States Colored Troops, to be second lieutenant in the Fifteenth Regiment United States Infantry, June 3, 1867, vice Johnson, promoted.

F. Beres Taylor, of New York, to be second lieutenant in the Twenty-fifth Regiment United States Infantry, September 5, 1867, vice Baldwin, appointed first lieutenant.

Aquila A. Reese, late second lieutenant of the Ninety-first New York Volunteers, to be second lieutenant in the Eighth Regiment United States Cavalry, September 9, 1867, vice Fechét, appointed first lieutenant.

Fielding L. Davies, late captain of the Fifteenth Regiment United States Colored Troops, to be second lieutenant in the Twenty-second Regiment United States Infantry, July 17, 1867, vice Olmstead, promoted.

Albert W. Preston, late captain of the Veteran Reserve Corps, to be second lieutenant in the Eighth Regiment United States Cavalry, September 10, 1867, vice Lafferty, appointed first lieutenant.

Tilson C. Barden, late captain of the One hundred and seventeenth Regiment United States Colored Troops, to be second lieutenant in the Ninth Regiment United States Cavalry, September 10, 1867, vice Dawson, promoted.

Private Albert F. Bayard, of the general service, United States Army, to be second lieutenant in the Fourth Regiment United States Cavalry, September 11, 1867, vice Cole, promoted.

Hayden De Lany, of Ohio, to be second lieutenant in the Ninth Regiment United States Infantry, September 11, 1867, vice Smith, promoted.

Sergeant Frederick H. E. Ebstein, of Company H. Fourth Regiment United States Infantry, to be second lieutenant in the Eighteenth Regiment United States Infantry, September 12, 1867, vice Regan, promoted.

Charles M. Shepherd, of Illinois, to be second lieutenant in the Third Regiment United States Infantry, August 7, 1867, vice Thompson, promoted.

Charles C. de Rudio, late lieutenant of the Second Regiment United States Colored Troops, to be second lieutenant in the Second Regiment United States Infantry, August 31, 1867, vice Dayton, appointed captain in the Seventh Cavalry.

Charles A. Johnson, late lieutenant of the Fifty-first Wisconsin Volunteers, to be second lieutenant in the Fourteenth Regiment United

States Infantry, August 9, 1867, vice Granger, whose appointment has been canceled.

George Taylor, of Ohio, to be second lieutenant in the Tenth Regiment United States Cavalry, September 20, 1867, vice Amick, appointed first lieutenant.

Oliver Grosvenor, late captain of the Twelfth Illinois Volunteers, to be second lieutenant in the Fourth Regiment United States Cavalry, September 20, 1867, vice ———, to be appointed regimental quartermaster.

Louis H. Orleman, late captain of the One hundred and nineteenth New York Volunteers, to be second lieutenant in the Tenth Regiment United States Cavalry, September 20, 1867, vice Raulston, promoted.

James M. Burns, late sergeant of the First West Virginia Infantry, to be second lieutenant in the Seventeenth Regiment United States Infantry, September 21, 1867, vice Troxel, promoted.

James H. Sands, late captain of the Sixth Indiana Cavalry, to be second lieutenant in the Sixth Regiment United States Cavalry, September 24, 1867, vice Mellen, promoted.

Edward G. Mathey, late lieutenant-colonel of the Eighty-first Indiana Volunteers, to be second lieutenant in the Seventh Regiment United States Cavalry, September 24, 1867, vice Jackson, appointed first lieutenant.

George Darrow, late captain of the One hundred and forty-eighth Indiana Volunteers, to be second lieutenant in the Fourth Regiment United States Infantry, September 24, 1867, vice Vodges, promoted.

J. Will Myers, late second lieutenant of the Sixth West Virginia Cavalry, to be second lieutenant in the Tenth Regiment United States Cavalry, September 24, 1867, vice Pratt, appointed first lieutenant.

William Magee, late of the Thirty-third New Jersey Volunteers, to be second lieutenant in the Twentieth Regiment United States Infantry, May 3, 1867, vice Carneross, the regimental adjutant.

David C. McIntyre, late captain of the First Iowa Cavalry, to be second lieutenant in the Sixth Regiment United States Cavalry, September 25, 1867, vice Campbell, promoted.

Charles G. Gordon, late sergeant of Company B, Second California Cavalry, to be second lieutenant in the Sixth Regiment United States Cavalry, September 26, 1867, vice Harper, promoted.

Hiram F. Winchester, of Maryland, to be second lieutenant in the Sixth Regiment United States Cavalry, September 27, 1867, vice Scott, promoted.

J. Sumner Rogers, late captain of the Thirty-first Maine Volunteers, to be second lieutenant in the First Regiment United States Infantry, October 1, 1867, vice Pierer, promoted.

Richard T. Jacob, jr., of Kentucky, to be second lieutenant in the Sixth Regiment United States Infantry, October 1, 1867, vice Van Deursen, cashiered.

John H. Coale, late commissary of subsistence of Volunteers, to be second lieutenant in the Twenty-seventh Regiment United States Infantry, October 2, 1867, vice Macaullay, promoted.

Gilbert E. Overton, late adjutant of the Twelfth New York Cavalry, to be second lieutenant in the Sixth Regiment United States Cavalry, October 2, 1867, vice Hill, promoted.

Oscar D. Ladley, late captain of the Seventy-fifth Ohio Volunteers, to be second lieutenant in the Twenty-second Regiment United States Infantry, October 2, 1867, vice Gibson, deceased.

Albert D. King, of California, to be second lieutenant in the Third Regiment United States Cavalry, October 5, 1867, vice Williams, resigned.

William S. Alexander, of Missouri, to be second lieutenant in the Eighth Regiment United States Infantry, October 9, 1867, vice Robinson, promoted.

Garland N. Whistler, of New York, to be second lieutenant in the Fifth Regiment United States Artillery, October 9, 1867, vice Roberts, promoted.

John A. Campbell, late assistant adjutant-general of Volunteers, to be second lieutenant in the Fifth Regiment United States Artillery, October 10, 1867, vice Barstow, promoted.

Henry Lazenby, of the District of Columbia, to be second lieutenant in the Sixth Regiment United States Cavalry, October 11, 1867, vice Rossander, deceased.

Pendleton Hunter, of Michigan, to be second lieutenant in the Eighth Regiment United States Cavalry, October 12, 1867, vice Carrick, promoted.

Harry P. Eakin, late captain of the Third Maryland Cavalry, to be second lieutenant in the Sixth Regiment United States Cavalry, October 15, 1867, vice ———, to be appointed quartermaster.

Walworth W. Wood, late clerk in the Adjutant-General's Office, to be second lieutenant in the First Regiment United States Infantry, October 15, 1867, vice Hubbell, deceased.

Henry H. Pierce, late major of the First Connecticut Heavy Artillery, to be second lieutenant in the First Regiment United States Infantry, October 16, 1867, vice Parker, the regimental adjutant.

John H. Benham, jr., late first lieutenant of the First United States Veteran Volunteers, to be second lieutenant in the Twenty-fourth Regiment United States Infantry, October 16, 1867, vice Engels, promoted.

William H. Hamner, late captain of the Third Rhode Island Heavy Artillery, to be second lieutenant in the Twentieth Regiment United States Infantry, October 16, 1867, vice Binney, resigned.

Asher C. Taylor, late adjutant of the Third Wisconsin Infantry, to be second lieutenant in the Fifteenth Regiment United States Infantry, October 16, 1867, vice Brunck, promoted.

Edwin Turnock, late captain of the Twelfth Indiana Cavalry, to be second lieutenant in the Seventeenth Regiment United States Infantry, October 16, 1867, vice Roberts, promoted.

Samuel K. Thompson, late first lieutenant of the Fifty-fourth Regiment United States Colored Troops, to be second lieutenant in the Thirty-ninth Regiment United States Infantry, October 16, 1867, vice Abrahams, deceased.

Robert Cairns, late captain of the Twenty-eighth Kentucky Volunteers, to be second lieutenant in the Seventeenth Regiment United States Infantry, October 16, 1867, vice Voris, deceased.

James McB. Stembel, of New York, to be second lieutenant in the Twenty-seventh Regiment United States Infantry, October 19, 1867, vice Palmer, promoted.

George B. McDermott, of the District of Columbia, to be second lieutenant in the Twenty-third Regiment United States Infantry, October 19, 1867, vice Bacon, resigned.

John M. Walton, of Pennsylvania, to be second lieutenant in the Fourth Regiment United States Cavalry, October 24, 1867, vice Dewey, deceased.

William Russell, jr., of Virginia, to be second lieutenant in the Fourth Regiment United States Cavalry, October 25, 1867, vice Hick, promoted.

Frank Taylor, late sergeant of the General Recruting Service United States Army, to be second lieutenant in the Second Regiment United States Infantry, October 29, 1867, vice Boyle, promoted.

Captain William W. Tyler, of the Veteran Reserve Corps, to be second lieutenant in the Ninth Regiment United States Cavalry, August 13, 1867, vice Cusack, promoted.

Cyrus M. De Lany, late sergeant of Company B, Thirtieth Ohio Volunteers, to be second lieutenant in the Thirty-fifth Regiment United States Infantry, October 13, 1867, vice Cresson, promoted.

Matthew Markland, late private of the Twenty-second Kentucky Volunteers, to be second lieutenant in the First Regiment United States Infantry, vice Ord, promoted.

H. W. Howgate, late first lieutenant of the Signal Corps, to be second lieutenant in the Twentieth Regiment United States Infantry, October 22, 1867, vice Clark, promoted.

F. M. H. Kendrick, late captain of the Veteran Reserve Corps, to be second lieutenant in the Seventh Regiment United States Infantry, October 22, 1867, vice Lyman, promoted.

James W. Tanfield, of California, to be second lieutenant in the Fourth Regiment United States Infantry, August 24, 1867, vice Veitenheimer, promoted.

Artificer John J. O'Connell, of Company A, United States Engineers, to be second lieutenant in the First Regiment United States Infantry, October 28, 1867, vice Arnold, deceased.

Sergeant M. L. Brandt, of Company A, Thirty-sixth Regiment United States Infantry, to be second lieutenant in the Thirty-sixth Regiment United States Infantry, November 6, 1867, vice Davies, dismissed.

John A. Payne, late major of the Fourteenth Missouri Cavalry, to be second lieutenant in the Twenty-eighth Regiment United States Infantry, March 6, 1867, vice Miner, promoted.

Henry P. Ritzius, late first lieutenant of the Seventh United States Veteran Volunteers, to be second lieutenant in the Thirty-ninth Regiment United States Infantry, October 23, 1867, vice Cooper, promoted.

Ernest F. Hoffman, of Iowa, to be second lieutenant in the Thirty-fifth Regiment United States Infantry, October 24, 1867, vice Vernay, promoted.

Albert J. Garrett, of the District of Columbia, to be second lieutenant in the Twenty-seventh Regiment United States Infantry, November 1, 1867, vice Sternberg, deceased.

Edward P. Rheem, late private of the Seventh Pennsylvania Reserves, to be second lieutenant in the Thirty-second Regiment United States Infantry, October 30, 1867, vice Mathews, promoted.

Private Thomas Dunn, of Company K, Second Regiment United States Infantry, to be second lieutenant in the Fifteenth Regiment United States Infantry, November 19, 1867, vice Blair, promoted.

John Q. Adams, late second lieutenant of the Signal Corps, to be second lieutenant in the First Regiment United States Cavalry, August 17, 1867, vice Pike, promoted.

Sergeant Henry A. Irgens, of Company B, Battalion of Engineers, to be second lieutenant in the Twenty-seventh Regiment United States Infantry, November 20, 1867, vice Wishart, promoted.

Richard Rees, late first lieutenant of the First Missouri Volunteers, to be second lieutenant in the Sixth Regiment United States Infantry, August 24, 1867, vice Goodman, dropped for desertion.

Darwin G. Fenno, late first lieutenant and adjutant of the Sixty-second Regiment United States Colored Troops, to be second lieutenant

in the Seventeenth Regiment United States Infantry, September 30, 1867, vice Taylor, promoted.

James A. Iliff, late second lieutenant of the One hundred and ninth Regiment United States Colored Troops, to be second lieutenant in the Forty-first Regiment United States Infantry, November 2, 1867, vice Neely, appointed first lieutenant.

William M. Williams, late captain of the Forty-fifth Ohio Volunteers, to be second lieutenant in the Twenty-eighth Regiment United States Infantry, November 13, 1867, vice Barton, promoted.

José A. A. Robinson, late lieutenant of the Thirty-sixth Regiment United States Colored Troops, to be second lieutenant in the Seventeenth Regiment United States Infantry, October 25, 1867, vice Norton, promoted.

Stephen B. Thoburn, late lieutenant of the Sixty-fifth Ohio Volunteers, to be second lieutenant in the Twenty-third Regiment United States Infantry, October 4, 1867, vice McGlymonds, declined.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I submit to the Senate, for its consideration with a view to ratification, a commercial treaty between the United States of America and Her Majesty the Queen of Madagascar, signed at Antanavarivo on the 14th of February last.

ANDREW JOHNSON.

WASHINGTON, *December* 5, 1867.

The messages were read.

Ordered, That the nomination of Francis W. Boyle be referred to the Committee on Finance.

Ordered, That the nominations of Daniel Dennett and William L. Stanford be referred to the Committee on Commerce.

Ordered, That the nomination of Michael C. Duffley be referred to the Committee on Public Lands.

Ordered, That the nominations of James Lynch, Michael P. Callan, and E. L. Corbin be referred to the Committee on the District of Columbia.

Ordered, That the nomination of N. Mayo Dyer and others be referred to the Committee on Naval Affairs.

Ordered, That the nominations of Abel F. Meecham and others, T. A. Boice and others, Charles Parker and others, Dudley Seward and others, Charles Mackin and others; William R. Kinney, and George A. Maguire, Nelson H. Davis, George P. Van Wick and others, Florence O. Donnoghue, Richard S. Vickery, Frederick M. Follett and others, James Kelly, John A. M. Dudley, and Charles A. Booth and others be referred to the Committee on Military Affairs and the Militia and printed in confidence for the use of the Senate.

Ordered, That the message of the President desiring the consent of the Senate to the correction of certain clerical errors be referred to the Committee on Military Affairs and the Militia.

The treaty between the United States of America and the Queen of Madagascar, signed at Antanavarivo the 14th of February, 1867, was read the first time.

On motion by Mr. Sumner,

Ordered, That the said treaty be referred to the Committee on Foreign Relations, and together with the message and accompanying documents, be printed in confidence for the use of the Senate.

The Senate proceeded to consider the nomination of Jacob Carmany; and

After debate,

On motion by Mr. Buckalew, that the further consideration of said nomination be postponed to to-morrow,

It was determined in the negative.

After further debate,

On motion by Mr. Henderson that the Senate do now adjourn,

The question being taken,

It was determined in the negative, { Yeas 15
Nays 17

On motion by Mr. Cameron,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Buckalew, Cole, Davis, Doolittle, Terry, Henderson, Hendricks, Morrill of Vt., Patterson of N. H., Patterson of Tenn., Pomeroy, Ross, Sherman, Stewart, Williams.

Those who voted in the negative are,

Messrs. Cameron, Chandler, Conkling, Conness, Fessenden, Fowler, Frelinghuysen, Harlan, Howard, Howe, Morgan, Morrill of Me., Nye, Ramsey, Tipton, Wade, Wilson.

So the motion to adjourn was not agreed to.

The question recurring, Will the Senate advise and consent to the appointment of Jacob Carmany?

It was determined in the negative.

So it was

Resolved, That the Senate do not advise and consent to the appointment of the said persons.

TUESDAY, DECEMBER 10, 1867.

Mr. Pomeroy, from the Committee on Public Lands, to whom was referred, the 9th instant, the nomination of Michael C. Duffiey, reported favorably thereon.

Mr. Sumner, from the Committe on Foreign Relations, to whom was referred, the 4th instant, the treaty between the United States of America, Great Britain, France, The Netherlands and Japan, concluded at Yedo the 25 June, 1866, reported the same without amendment.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 4th instant, the treaty of friendship, commerce and navigation between the United States of America and the Republic of Nicaragua, signed at the city of Managua on the 21 of June, 1867, reported the same without amendment.

WEDNESDAY, DECEMBER 11, 1867.

The following messages were received from the President of the United States, by Mr. Johnson, his secretary:

To the Senate of the United States:

I nominate William J. Chandler to be collector of internal revenue for the 5th district of Missouri, to fill a vacancy existing since the end of the Thirty-ninth Congress. ANDREW JOHNSON.

WASHINGTON, D. C., *Dec. 10th*, 1867.

To the Senate of the United States:

I nominate William D. Fouts to be assessor of internal revenue for the 2nd district of Indiana, to fill a vacancy existing since the end of the second session of the Thirty-ninth Congress.

ANDREW JOHNSON.

WASHINGTON, D. C., *Dec.* 10, 1867.

To the Senate of the United States:

I nominate John F. Flint, a citizen of the United States, to be consul of the United States at La Union, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, 11 *December*, 1867.

To the Senate of the United States:

I nominate Edward A. Wright, a citizen of the United States, to be consul of the United States at San Salvador, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, 11 *December*, 1867.

To the Senate of the United States:

I nominate J. C. Mathe, a citizen of the United States, to be consul of the United States at Sonsonati, San Salvador, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, 11 *December*, 1867.

To the Senate of the United States:

I nominate Gideon H. Hollister, of Connecticut, to be minister resident and consul-general of the United States to the Republic of Hayti, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, 11*th December*, 1867.

To the Senate of the United States:

I nominate Lieutenant-Colonel Matthew R. Kintzing to be colonel in the Marine Corps, from the 4th December, 1867, vice Colonel Wm. L. Shuttleworth, retired;

Major Thomas Y. Field to be a lieutenant-colonel in the Marine Corps, from the 4th December, 1867, vice Lieutenant-Colonel M. R. Kintzing, nominated for promotion;

Captain David M. Cohen to be major in the Marine Corps, from the 4th December, 1867, vice Major T. Y. Field, nominated for promotion;

First Lieutenant Henry A. Bartlett to be captain in the Marine Corps, from the 4th December, 1867, vice Captain D. M. Cohen, nominated for promotion; and

Second Lieutenant Albert B. Young to be a first lieutenant in the Marine Corps, from the 4th December, 1867, vice First Lieutenant H. A. Bartlett, nominated for promotion.

ANDREW JOHNSON.

WASHINGTON CITY, 4*th December*, 1867.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment in the Army of the United States, as proposed by the Secretary of War *ad interim*.

ANDREW JOHNSON.

WASHINGTON, *December* 9*th*, 1867.

WAR DEPARTMENT,
Washington, December 9th, 1867.

SIR: I have the honor to propose for your approbation the following-named persons for appointment in the Army of the United States, they having passed the examination required by law:

Lonis J. Schonborn, late sergeant of the United States Army, to be second lieutenant in the Third Regiment United States Infantry, October, 19, 1867, vice Bonsall, promoted.

J. Estcourt Sawyer, of New Jersey, to be second lieutenant in the Fifth Regiment United States Artillery, November 11, 1867, vice Gordon, promoted.

Sergeant A. Lee Myer, of Company F, Twenty-ninth Regiment United States Infantry, to second lieutenant in the Twenty-ninth Regiment United States Infantry, Dec. 6, 1867, vice Merritt, promoted.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the officers named in the accompanying communication for appointment by brevet in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December 3d*, 1867.

WAR DEPARTMENT,
Washington, December 3d, 1867.

SIR: I have the honor to propose for your approbation the following-named officers for appointment by brevet in the Army of the United States:

To be first lieutenants by brevet.

Second Lieutenant Ely S. Parker, of the First Regiment United States Cavalry, for faithful and meritorious services during the war, to date from March 2, 1867.

Second Lieutenant Amos Webster, of the Fifth Regiment United States Cavalry, for faithful and meritorious services during the war, to date from March 7, 1867.

Second Lieutenant Cyrus S. Roberts, of the Seventeenth Regiment United States Infantry, for gallant and meritorious services at the battle of Winchester, Va., September 19, 1864, to date from March 2, 1867.

Second Lieutenant Leonard J. Whiting, of the Forty-fifth Regiment United States Infantry, for gallant and meritorious services in the Peninsular campaign, Va., to date from March 2, 1867.

Second Lieutenant Levi F. Burnett, of the Thirty-sixth Regiment United States Infantry, for gallant and meritorious services at the battle of Antietam, Md., to date from March 2, 1867.

Second Lieutenant Mattson C. Sanbourne, of the Seventh Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Second Lieutenant Greenleaf Cilley, of the First Regiment United States Cavalry, for gallant and meritorious services at the battle of Chickamanga, Ga., to date from March 2, 1867.

Second Lieutenant Edwin B. Atwood, of the Sixteenth Regiment United States Infantry, for gallant and meritorious services at the battle of Murfreesboro', Tenn., to date from March 2, 1867.

Second Lieutenant Edward Allsworth, of the Fortieth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Second Lieutenant George E. Albee, of the Forty-first Regiment United States Infantry, for gallant and meritorious services at the battle of the Wilderness, Va., to date from March 2, 1867.

Second Lieutenant William P. Atwell, of the Forty-third Regiment United States Infantry, for gallant and meritorious services in the assault on Petersburg, Va., July 30, 1864, to date from March 2, 1867.

Second Lieutenant James M. Bell, of the Seventh Regiment United States Cavalry, for gallant and meritorious services in the battle of the Wilderness, Va., to date from March 2, 1867.

Second Lieutenant James G. Birney, of the Ninth Regiment United States Cavalry, for gallant and meritorious services at the battle of Gettysburg, Pa., to date from March 2, 1867.

Second Lieutenant Roland C. Breyfoyle, of the Twelfth Regiment United States Infantry, for gallant and meritorious services at the battle of Spottsylvania, Va., to date from March 2, 1867.

Second Lieutenant William R. Bowne, of the Forty-second Regiment United States Infantry, for gallant and meritorious services at the battle of Gettysburg, Pa., to date from March 2, 1867.

Second Lieutenant Robert F. Bates, of the Eighteenth Regiment United States Infantry, for gallant and meritorious services at the battle of Gettysburg, Pa., to date from March 2, 1867.

Second Lieutenant Nathaniel Burbank, of the Thirty-seventh Regiment United States Infantry, for gallant and meritorious services at the battle of Bristow Station, Va., to date from March 2, 1867.

Second Lieutenant John Bannister, of the Forty-third Regiment United States Infantry, for gallant and meritorious services in action at Petersburg, Va., July 8, 1864, to date from March 2, 1867.

Second Lieutenant Constantine Chase, of the Third Regiment United States Artillery, for gallant and meritorious services during the war, to date from March 2, 1867.

Second Lieutenant Charles C. Cresson, of the Thirty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Mill Creek, Ga., to date from March 2, 1867.

Second Lieutenant Charles H. Campbell, of the Sixth Regiment United States Cavalry, for gallant and meritorious services in the battle of Petersburg, Va., to date from March 2, 1867.

Second Lieutenant J. W. Chickering, of Twenty-second Regiment United States Infantry, for gallant and meritorious services at the battle of Chickamauga, Ga., to date from March 2, 1867.

Second Lieutenant Sidney E. Clark, of the Sixteenth Regiment United States Infantry, for gallant and meritorious services at the battle of Winchester, Va., to date from March 2, 1867.

Second Lieutenant Thomas M. Canton, of the Twenty-fifth Regiment United States Infantry, for gallant and meritorious services at the battle of Spottsylvania, Va., to date from March 2, 1867.

Second Lieutenant Bethel M. Custer, of the Thirty-eighth Regiment United States Infantry, for gallant and meritorious services at James Island, S. C., to date from March 2, 1867.

Second Lieutenant John C. Curriet, of the Twenty-first Regiment United States Infantry, for gallant and meritorious services at the battle of the Wilderness, to date from March 2, 1867.

Second Lieutenant Thomas Connelly, of the Twenty-seventh Regiment United States Infantry, for gallant and meritorious services during the siege of Port Hudson, La., to date from March 2, 1867.

Second Lieutenant Will A. Coulter, of the Twelfth Regiment United States Infantry, for gallant and meritorious services at the battle of Nashville, Tenn., to date from March 2, 1867.

Second Lieutenant Lewis M. Dayton, of the Seventh Regiment United States Cavalry, for gallant and meritorious services in the Atlanta campaign, to date from March 2, 1867.

Second Lieutenant Edward Davis, of the Third Regiment United States Artillery, for gallant and meritorious services in the battle of Chickamanga, Ga., to date from June 17, 1867.

Second Lieutenant Cyrus A. Earnest, of the Thirty-third Regiment United States Infantry, for gallant and meritorious services in the siege of Vicksburg, Miss., to date from March 2, 1867.

Second Lieutenant George F. Foote, of the Ninth Regiment United States Infantry, for gallant and meritorious services in the battle of Stone River, to date from March 2, 1867.

Second Lieutenant Edmond G. Fechet, of the Eighth Regiment United States Cavalry, for gallant and meritorious services at the battle of Antietam, Md., to date from March 2, 1867.

Second Lieutenant Theodore F. Forbes, of the Forty-second Regiment United States Infantry, for gallant and meritorious services in the battle of Cedar Mountain, Va., to date from March 2, 1867

Second Lieutenant Frank D Garretty, of the Forty-third Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Second Lieutenant Louis E. Granger, of the Fortieth Regiment United States Infantry, for gallant and meritorious services in the battle of Antietam, Md., to date from March 7, 1867.

Second Lieutenant Wilson T. Hartz, of the Fifteenth Regiment United States Infantry, for gallant and meritorious services at the battle of Fair Oaks, to date from March 2, 1867.

Second Lieutenant Charles E. Hargouse, of the Fortieth Regiment United States Infantry, for gallant and meritorious services at Sedgwick Crossing, Va., May 1, 1863, to date from March 2, 1867.

Second Lieutenant Paul R. Hambrick, of the Forty-fifth Regiment United States Infantry, for gallant and meritorious services in action at Salem Church, to date from March 2, 1867.

Second Lieutenant William P. Hogarty, of the Forty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Fredericksburg, Va., to date from March 2, 1867.

Second Lieutenant Charles B. Hall, of the Twenty-eighth Regiment United States Infantry, for gallant and meritorious services in the battle of Sabine Cross Roads, La., to date from March 2, 1867.

Second Lieutenant William Harper, jr., of the Sixth Regiment United States Cavalry, for gallant and meritorious services during the war, to date from March 2, 1867.

Second Lieutenant Frederick A. Kendall, of the Fortieth Regiment United States Infantry, for gallant and meritorious services at Fort Harrison, Va., to date from March 2, 1867.

Second Lieutenant Edward C. Knowet, of the Forty-fifth Regiment United States Infantry, for gallant and meritorious services in front of Petersburg, July 18, 1864, to date from March 2, 1867.

Second Lieutenant James T. Leary, of the Seventh Regiment United States Cavalry, for gallant and meritorious services at the battle of Shiloh, Tenn., to date from March 2, 1867.

Second Lieutenant Walter S. Long, of the Fortieth Regiment United States Infantry, for gallant and meritorious services in the battle of Antietam, Md., to date from March 2, 1867.

Second Lieutenant Thomas W. Lord, of the Forty-third Regiment United States Infantry, for gallant and meritorious services in the battle of Chancellorsville, Va., to date from March 2, 1867.

Second Lieutenant George M. Love, of the Eleventh Regiment United States Infantry, for gallant and meritorious services in action at Plain's Store, to date from March 7, 1867.

Second Lieutenant James N. McElroy, of the Eighth Regiment United States Cavalry, for gallant and meritorious services in the battle of Spottsylvania, Va., to date from March 2, 1867.

Second Lieutenant Louis M. Morris, of the Twentieth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Second Lieutenant James M. Morgan, of the Thirty-eighth Regiment United States, for gallant and meritorious services in the battle of Stone River, Tenn., to date from March 2, 1867

Second Lieutenant Henry Marcotte, of the Forty-fourth Regiment United States Infantry, for gallant and meritorious services in the battle of Chancellorsville, Va., to date from March 2, 1867.

Second Lieutenant Calvin P. McTaggart, of the Forty-fourth Regiment United States Infantry, for gallant and meritorious services in the battle of Fair Oaks, Va., to date from March 2, 1867.

Second Lieutenant Lemuel B. Norton, of the Thirtieth Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 2, 1867.

Second Lieutenant Charles Parker, of the Ninth Regiment United States Cavalry, for gallant and meritorious services in the battle of Nashville, Tenn., to date from March 2, 1867.

Second Lieutenant Richard H. Pratt, of the Tenth Regiment United States Cavalry, for gallant and meritorious services during the war, to date from March 7, 1867.

Second Lieutenant Charles G. Penny, of the Thirty-eighth Regiment United States Infantry, for gallant and meritorious services in the battle of Vicksburg, Miss., to date from March 2, 1867.

Second Lieutenant William V. Richards, of the Eleventh Regiment United States Infantry, for gallant and meritorious services in the battle of South Mountain, Md., to date from March 2, 1867.

Second Lieutenant George F. Raulston, of the Tenth Regiment United States Cavalry, for gallant and meritorious services in the battle of Weldon Railroad, Va., to date from March 2, 1867.

Second Lieutenant Frank R. Rice, of the Forty-fourth Regiment United States Infantry, for gallant and meritorious services in the battle of Fredericksburg, Va., to date from March 2, 1867.

Second Lieutenant Alfred M. Raphall, of the Forty-third Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 2, 1867.

Second Lieutenant Robert G. Rutherford, of the Forty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Rappahannock Station, Va., to date from March 7, 1867.

Second Lieutenant Joseph A. Sladen, of the Twenty-sixth Regiment United States Infantry, for gallant and meritorious services in the battle of Jonesboro', Ga., to date from March 2, 1867.

Second Lieutenant Jacob A. Sanders, of the Thirty-eighth Regiment

United States Infantry, for gallant and meritorious services in the battle of Fort Sanders, Tenn., to date from May 17, 1868.

Second Lieutenant Edmund J. Stivers, of the Fortieth Regiment United States Infantry, for gallant and meritorious services in the battle of Nashville, Tenn., to date from March 2, 1867.

Second Lieutenant Edward R. P. Shurley, of the Twenty-seventh Regiment United States Infantry, for gallant and meritorious services in the battle of Fredericksburg, Va., to date from March 15, 1867.

Second Lieutenant John W. Summerhays, of the Thirty-third Regiment United States Infantry, for gallant and meritorious services at the battle of Ball's Bluff, Va., to date from March 2, 1867.

Second Lieutenant John N. Travis, of the Fourteenth Regiment United States Infantry, for gallant and meritorious services at the battle of Gettysburg, Pa., to date from March 2, 1867.

Second Lieutenant J. Milton Thompson, of the Thirty-eighth Regiment United States Infantry, for gallant and meritorious services at Jones' Island, S. C., to date from March 2, 1867.

Second Lieutenant Franklin B. Town, of the Eleventh Regiment United States Infantry, for gallant and meritorious services in the battle of Boydton Plank Road, Va., to date from March 7, 1867.

Second Lieutenant Samuel P. Voris, of the Seventeenth Regiment United States Infantry, for gallant and meritorious services in the battle of Stone River, Tenn., to date from March 2, 1867.

Second Lieutenant Wells Willard, of the Thirty-seventh Regiment United States Infantry, for gallant and meritorious services in the battle of Chantilly, Va., to date from March 2, 1867.

Second Lieutenant Bradford R. Wood, jr., of the Twenty-second Regiment United States Infantry, for gallant and meritorious services in the battle of Spottsylvania, Va., to date from March 2, 1867.

Second Lieutenant Melville C. Wilkinson, of the Forty-second Regiment United States Infantry, for gallant and meritorious services in the battle of Antietam, Md., to date from March 2, 1867.

Second Lieutenant Alexander Wishart, of the Twenty-seventh Regiment United States Infantry, for gallant and meritorious services in the battle of Gaines' Mill, Virginia, to date from March 2, 1867.

Second Lieutenant John G. Telford, of the Thirty-first Regiment United States Infantry, for gallant and meritorious services in the battle of Lewisburg, Va., May 23, 1862, to date from March 2, 1867.

Second Lieutenant Edward L. Bailey, of the Fourth Regiment United States Infantry, for gallant and meritorious services at the battle of Williamsburg, Va., to date from November 6, 1867.

Second Lieutenant Frederick W. Smith, of the Ninth Regiment United States Cavalry, for gallant and meritorious services in the battle of Atlanta, Ga., to date from March 2, 1867.

Second Lieutenant David J. Craigie, of the Twelfth Regiment United States Infantry, for gallant and meritorious services at the battle of Shiloh, to date from March 2, 1867.

Second Lieutenant John B. Eaton, of the Third Regiment United States Artillery, for gallant and meritorious services in the action before Petersburg, Va., June 17, 1864, to date from May 27, 1867.

Second Lieutenant Placidus Ord, of the First Regiment United States Infantry, for gallant and meritorious services in the siege of Vicksburg, Miss., to date from March 2, 1867.

Second Lieutenant Martin Norton, of the Second Regiment United States Infantry, for gallant and meritorious services in the battle of Bull Run (second), Va., to date from March 2, 1867.

Second Lieutenant John A. Campbell, of the Fifth Regiment United States Artillery, for gallant and meritorious services during the war, especially in the battle of Shiloh, Tenn., to date from October 10, 1867.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the officers named in the accompanying communication for appointment by brevet in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December 3rd*, 1867.

WAR DEPARTMENT,
Washington, December 3d, 1867.

SIR: I have the honor to propose for your approbation the following-named officers for appointment by brevet in the Army of the United States:

To be captains by brevet.

First Lieutenant Thomas M. McDongall, of the Thirty-second Regiment United States Infantry, for gallant and meritorious services, to date from March 2, 1867.

First Lieutenant Will A. Coulter, of the Twelfth Regiment United States Infantry, for gallant and meritorious services at the battle of Nashville, Tenn., to date from March 2, 1867.

First Lieutenant George S. Spalding, of the Thirty-third Regiment United States Infantry, for faithful and meritorious services, to date from March 2, 1867.

First Lieutenant Adam Badeau, of the Fourth Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 2, 1867.

Brevet First Lieutenant Ely S. Parker, second lieutenant in the First Regiment United States Cavalry, for faithful and meritorious services during the war, to date from March 2, 1867.

Brevet First Lieutenant Amos Webster, second lieutenant in the Fifth Regiment United States Cavalry, for faithful and meritorious services during the war, to date from March 7, 1867.

First Lieutenant Samuel McKeever, of the Sixteenth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

First Lieutenant Mason Howard, of the Fifth Regiment United States Infantry, for gallant and meritorious services in an affair with the Indians en route from Fort Hays to Fort Harker, Kansas, to date from October 18, 1867.

First Lieutenant George N. Bomford, of the Seventh Regiment United States Infantry, for gallant and meritorious services at the battle of Antietam, Md., to date from March 2, 1867.

First Lieutenant George Shorkley, of the Fifteenth Regiment United States Infantry, for gallant and meritorious services at the battle of Antietam, Md., to date from March 2, 1867.

First Lieutenant Samuel McConihe, of the Fourteenth Regiment United States Infantry, for gallant and meritorious services at the battle of the Wilderness, Va., to date from March 2, 1867.

Brevet First Lieutenant Cyrus S. Roberts, second lieutenant in the Seventeenth Regiment United States Infantry, for gallant and meritorious services at the battle of Fisher's Hill, Va., September 22, 1864, to date from March 2, 1867.

First Lieutenant William W. Clemens, of the Thirty-fifth Regiment United States Infantry, for gallant and meritorious services in the capture of Fort Fisher, N. C., to date from March 2, 1867.

First Lieutenant Edward A. Belgret, of the Third Regiment United States Infantry, for gallant services at the battle of Chancellorsville, Va., May 3, 1863, to date from March 2, 1867.

Brevet First Lieutenant Leonard J. Whiting, second lieutenant in the Forty-fifth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet First Lieutenant Levi F. Burnett, second lieutenant in the Thirty-sixth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

First Lieutenant John T. Conyngham, of The Twenty-fourth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

First Lieutenant Clayton Hale, of the Thirty-fourth Regiment United States Infantry, for gallant and meritorious services at the battle of Stone River, Tenn., to date from March 2, 1867.

First Lieutenant William Arthur, of the Third Regiment United States Artillery, for gallant and meritorious services at the battle of Spottsylvania, Va., to date from March 2, 1867.

Brevet First Lieutenant Mattson C. Sanbourne, second lieutenant in the Seventh Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2. 1867.

Brevet First Lieutenant Greenleaf Cilley, second lieutenant in the First Regiment United States Cavalry, for gallant and meritorious services at the battle of Chickamanga, Ga., to date from March 2, 1867.

Brevet First Lieutenant Edwin B. Atwood, second lieutenant in the Sixteenth Regiment United States Infantry, for gallant and meritorious services in the battle of Chickamanga, Ga., to date from March 2, 1867.

First Lieutenant Charles C. Aleshire, of the Third Regiment United States Artillery, for gallant and meritorious services at the battle of Peach Tree Creek, Ga., to date from March 2, 1867.

First Lieutenant Robert Avery, of the Forty-fourth United States Infantry, for gallant and meritorious services at the battle of Chancellorsville, Va., to date from March 2, 1867.

Brevet First Lieutenant William P. Atwell, second lieutenant in the Forty-third Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

First Lieutenant William Badger, of the Sixth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

First Lieutenant Matthew Berry, of the Seventh Regiment United States Cavalry, for gallant and meritorious services at the battle of Antietam, Md., to date from March 2, 1867.

First Lieutenant Wallace W. Barrett, of the Thirty-fourth Regiment United States Infantry, for gallant and meritorious services at the battle of Stone River., Tenn., to date from March 2, 1867.

First Lieutenant A. Benson Brown, of the Forty-third Regiment United States Infantry, for gallant and meritorious services at the battle of Drury's Bluff, Va., to date from March 2, 1867.

First Lieutenant Gustavus M. Bascom, of the Seventeenth Regiment United States Infantry, for gallant and meritorious services at the battle of Antietam, Md., to date from March 2, 1867.

Brevet First Lieutenant James M. Bell, second lieutenant in the Seventh Regiment United States Cavalry, for gallant and meritorious services at the battle of the Wilderness, Va., to date from March 2, 1867.

First Lieutenant Charles Brewster, of the Seventh Regiment United States Cavalry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet First Lieutenant James G. Birney, second lieutenant in the Ninth Regiment United States Cavalry, for gallant and merritorious services at the battle of Gettysburg, Pa., to date from March 2, 1867.

First Lieutenant George H. Cram, of the Seventeenth Regiment United States Infantry, for gallant and meritorious services at the battle of Shiloh, Tenn., to date from March 2, 1867.

First Lieutenant Fred W. Coleman, of the Fifteenth Regiment United States Infantry, for gallant and meritorious services at the battle of Spottsylvania, Va., to date from March 2, 1867.

Brevet First Lieutenant Charles C. Cresson, second lieutenant in the Thirty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Resaca, Ga., to date from March 2, 1867.

Brevet First Lieutenant Charles H. Campbell, second lieutenant in the Sixth Regiment United States Cavalry, for gallant and meritorious services in the battle of Petersburg, Va., to date from March 2, 1867.

First Lieutenant Charles M. Callahan, of the Third Regiment United States Artillery, for gallant and meritorious services in the battle of Bentonville, N. C., to date from March 2, 1867.

Brevet First Lieutenant J. W. Chickering, second lieutenant in the Twenty-second Regiment United States Infantry, for gallant and meritorious services at the battle of Chickamanga, Ga., to date from March 2, 1867.

First Lieutenant Thomas W. Custer, of the Seventh Regiment United States Cavalry, for gallant and meritorious services in the battle of Sailor's Creek, Va., to date from March 2, 1867.

First Lieutenant Hanson H. Crews, of the Twenty-eighth Regiment United States Infantry, for gallant and meritorious services at the battle of Kenesaw Mountain, to date from March 2, 1867.

First Lieutenant Frederick M. Crandal, of the Forty-first Regiment United States Infantry, for gallant and meritorious services in the battle of Arkansas Park, Ark., to date from March 2, 1867.

First Lieutenant John H. Caster, of the Thirtieth Regiment United States Infantry, for gallant and meritorious services in action at Glendale, Va., to date from March 7, 1867.

Brevet First Lieutenant Sidney E. Clark, second lieutenant in the Sixteenth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet First Lieutenant Thomas M. Canton, second lieutenant in the Twenty-fifth Regiment United States Infantry, for gallant and meritorious services at the battle of Ream's Station, Va., to date from March 2, 1867.

Brevet First Lieutenant John C. Currier, second lieutenant in the Twenty-first Regiment United States Infantry, for gallant and meritorious services in the battle of Poplar Grove Church, Va., to date from March 2, 1867.

Brevet First Lieutenant Thomas Connelly, second lieutenant in the Twenty-seventh Regiment United States Infantry, for gallant and meri

torious services in the siege of Port Hudson, La., to date from March 2, 1867.

First Lieutenant Jacob C. De Gress, of the Ninth Regiment United States Cavalry, for gallant and meritorious services during the siege of Vicksburg, Miss., to date from March 2, 1867.

Brevet First Lieutenant Lewis M. Dayton, second lieutenant in the Seventh Regiment United States Cavalry, for gallant and meritorious services in the Atlanta campaign, to date from March 2, 1867.

First Lieutenant Charles L. Davis, of the Tenth Regiment United States Infantry, for gallant and meritorious services in the campaign from the Rapidan to the James, to date from March 2, 1867.

Brevet First Lieutenant Cyrus A. Earnest, second lieutenant in the Thirty-third Regiment United States Infantry, for gallant and meritorious services in the battle of Atlanta, Ga., to date from March 2, 1867.

First Lieutenant William T. Frohock, of the Ninth Regiment United States Cavalry, for gallant and meritorious services in the battle of Shiloh, Tenn., to date from March 2, 1867.

Brevet First Lieutenant George F. Foot, second lieutenant in the Ninth Regiment United States Infantry, for gallant and meritorious services in the battle of Jonesboro', Ga., to date from March 2, 1867.

First Lieutenant Augustus Funk, of the Forty-first Regiment United States Infantry, for gallant and meritorious services in the battle of the Wilderness, Va., to date from March 2, 1867.

First Lieutenant Calvin H. Frederick, of the Forty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Pea Ridge, Ark., to date from March 2, 1867.

Brevet First Lieutenant Edmond G. Fechet, second lieutenant in the Eighth Regiment United States Cavalry, for gallant and meritorious services at the battle of Antietam, Md., to date from March 2, 1867.

First Lieutenant Greenleaf A. Goodale, of the Twenty-third Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburgh, Pa., to date from March 2, 1867.

First Lieutenant Frederick A. H. Gaebel, of the Forty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Malvern Hill, Va., to date from March 2, 1867.

Brevet First Lieutenant Louis E. Granget, second lieutenant in the Fortieth Regiment United States Infantry, for gallant and meritorious services in the siege of Port Hudson, La., to date from March 7, 1867.

First Lieutenant Henry H. Humphreys, of the Thirty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Fredericksburg, Va., to date from March 2, 1867.

Brevet First Lieutenant Wilson T. Hartz, second lieutenant in the Fifteenth Regiment United States Infantry, for gallant and meritorious services in the battle of Fair Oaks, Va., to date from March 2, 1867.

First Lieutenant Solomon L. Hoge, of the Sixteenth Regiment United States Infantry, for gallant and meritorious services in the battle of Bull Run (2d), Va., to date from March 2, 1867.

First Lieutenant Daniel Hart, of the Fortieth Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 2, 1867.

First Lieutenant John W. Hicks, of the Twentieth Regiment United States Infantry, for gallant and meritorious services in the assault on Fort Wagner, S. C., to date from March 2, 1867.

First Lieutenant George D. Hill, of the Forty-second Regiment United States Infantry, for gallant and meritorious services in the battle of Appomatox C. H., Va., to date from March 2, 1867.

First Lieutenant James M. Hoag, of the Forty-first Regiment United States Infantry, for gallant and meritorious services in action at Chapin's Farm, Va., to date from March 2, 1867.

Brevet First Lieutenant Charles E. Hargons, second lieutenant in the Fortieth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet First Lieutenant Charles B. Hall, second lieutenant in the Twenty-eighth Regiment United States Infantry, for gallant and meritorious services in the battle of Pleasant Hill, La., to date from March 2, 1867.

Brevet First Lieutenant Forest H. Hathway, second lieutenant in the Forty-first Regiment United States Infantry, for gallant and meritorious services in the battle of Cold Harbor, Va., to date from March 7, 1867.

Brevet First Lieutenant William Harper, jr., second lieutenant in the Sixth Regiment United States Cavalry, for gallant and meritorious services during the war, to date from March 2, 1867.

First Lieutenant Charles S. Isley, of the Sixteenth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

First Lieutenant John L. Johnston, of the Twenty-first Regiment United States Infantry, for gallant and meritorious services in the first assault at Petersburg, Va., to date from March 2, 1867.

First Lieutenant Lewis Johnson, of the Forty-first Regiment United States Infantry, for gallant and meritorious services in the battle of Mill Springs, Ky., to date from March 2, 1867.

First Lieutenant Sanford C. Kellogg, of the Eighteenth Regiment United States Infantry, for gallant and meritorious services in the battle of Chattanooga, Tenn., to date from March 2, 1867.

First Lieutenant Edward B. Knox, of the Twenty-first Regiment United States Infantry, for gallant and meritorious services in the battle of Hanover Court-House, Va., to date from March 2, 1867.

First Lieutenant Birney B. Keeler, of the Thirty-ninth Regiment United States Infantry, for gallant and meritorious services in action at Chapin's Farm, Va., to date from March 2, 1867.

First Lieutenant John Kelliher, of the Forty-second Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 2, 1867.

Brevet First Lieutenant Frederick A. Kendall, second lieutenant in the Fortieth Regiment United States Infantry, for gallant and meritorious services at Fort Harrison, Va., to date from March 2, 1867.

Brevet First Lieutenant Edward C. Knower, second lieutenant in the Forty-fifth Regiment United States Infantry, for gallant and meritorious services in front of Petersburg, July 18, 1864, to date from March 2, 1867.

First Lieutenant William F. Lynch, of the Forty-second Regiment United States Infantry, for gallant and meritorious services in the battle of Pleasant Hill, La., to date from March 2, 1867.

First Lieutenant Louis J. Lambert, of the Seventeenth Regiment United States Infantry, for gallant and meritorious services in the battle of Chickamauga, Ga., to date from March 2, 1867.

First Lieutenant Thomas H. Logan, of the Fortieth Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 2, 1867.

First Lieutenant John Leonard, of the Forty-third Regiment United States Infantry, for gallant and meritorious services in the battle of Fredericksburg, Va., to date from March 2, 1867.

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Brevet First Lieutenant James T. Leary, second lieutenant in the Seventh Regiment United States Cavalry, for gallant and meritorious services in the capture of Savannah, Ga., to date from March 2, 1867.

Brevet First Lieutenant Walter S. Long, second lieutenant in the Fortieth Regiment United States Infantry, for gallant and meritorious services in the battle of Antietam, Md., to date from March 2, 1867.

Brevet First Lieutenant George M. Love, second lieutenant in the Eleventh Regiment United States Infantry, for gallant and meritorious services in the assault on Port Hudson, La., to date from March 7, 1867.

Brevet First Lieutenant James N. McElroy, second lieutenant in the Eighth Regiment United States Cavalry, for gallant and meritorious services in the battle of Spottsylvania, Va., to date from March 2, 1867.

First Lieutenant William R. Maize, of the Second Regiment United States Infantry, for gallant and meritorious services in the battle of Stone River, Tenn., to date from March 2, 1867.

First Lieutenant John H. Malmken, of the Eighth Regiment United States Cavalry, for gallant and meritorious services in the battle of Cedar Creek, Va., to date from August 7, 1867.

First Lieutenant John D. Myrick, of the Tenth Regiment United States Cavalry, for gallant and meritorious services in the battle of Dinwiddie C. H., Va., to date from March 7, 1867.

First Lieutenant William H. Merrill, of the Forty-second Regiment United States Infantry, for gallant and meritorious services in the battle of Bull Run (first), Va., to date from March 2, 1867.

Brevet First Lieutenant Louis M. Morris, second lieutenant in the Twentieth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet First Lieutenant James N. Morgan, second lieutenant in the Thirty-eighth Regiment United States Infantry, for gallant and meritorious services in the battle of Stone River, Tenn., to date from March 2, 1867.

Brevet First Lieutenant Henry Marcotte, second lieutenant in the Forty-fourth Regiment United States Infantry, for gallant and meritorious services in the battle of Chancellorsville, Va., to date from March 2, 1867.

First Lieutenant Horace Neide, of the Forty-fourth Regiment United States Infantry, for gallant and meritorious services in the battle of Gaines' Mill, Va., to date from March 2, 1867.

Brevet First Lieutenant Lemuel B. Norton, second lieutenant in the Thirtieth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

First Lieutenant Alanson E. Niles, of the Forty second Regiment United States Infantry, for gallant and meritorious services at the battle of Gettysburg, Pa., to date from March 2, 1867.

First Lieutenant Luke O. Reilly, of the Thirty-ninth Regiment United States Infantry, for gallant and meritorious services in the capture of Savannah, Ga., to date from March 2, 1867.

First Lieutenant Frank W. Paul, of the Twenty-fourth Regiment United States Infantry, for gallant and meritorious services at Petersburg Mine, Va., to date from March 2, 1867.

First Lieutenant Douglas Pope, of the Thirty-seventh Regiment United States Infantry, for gallant and meritorious services at the battle of Groveton, Va., to date from March 2, 1867.

First Lieutenant Robert C. Perry, of the Forty-second Regiment United States Infantry, for gallant and meritorious services at the battle of the Wilderness, Va., to date from March 2, 1867.

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Brevet First Lieutenant Charles Parker, second lieutenant in the Ninth Regiment United States Cavalry, for gallant and meritorious services at the battle of Nashville, Tenn., to date from March 2, 1867.

Brevet First Lieutenant Richard H. Pratt, second lieutenant in the Tenth Regiment United States Cavalry, for gallant and meritorious services during the war, to date from March 7, 1867.

Brevet First Lieutenant Charles G. Penny, second lieutenant in the Thirty-eighth Regiment United States Infantry, for gallant and meritorious services at the capture of Fort Blakely, Ala., to date from March 2, 1867.

First Lieutenant Allan Rutherford, of the Forty-fourth Regiment United States Infantry, for gallant and meritorious services at the battle of Bull Run (second), Va., to date from March 2, 1867.

Brevet First Lieutenant William V. Richards, second lieutenant in the Eleventh Regiment United States Infantry, for gallant and meritorious services at the battle of Spottsylvania, Va., to date from March 2, 1867.

First Lieutenant Edmund Rice, of the Fortieth Regiment United States Infantry, for gallant and meritorious services in the battle of Antietam, Md., to date from March 2, 1867.

First Lieutenant William W. Rogers, of the Forty-fifth Regiment United States Infantry, for gallant and meritorious services at the battle of Gettysburg, Pa., to date from March 2, 1867.

First Lieutenant Henry Romeyn, of the Thirty-seventh Regiment United States Infantry, for gallant and meritorious services in the battle of Nashville, Tenn., to date from March 2, 1867.

Brevet First Lieutenant George F. Raulston, second lieutenant in the Tenth Regiment United States Cavalry, for gallant and meritorious services in the battle of the Weldon Railroad, Va., to date from March 2, 1867.

Brevet First Lieutenant Frank R. Rice, second lieutenant in the Forty-fourth Regiment United States Infantry, for gallant and meritorious services in the battle of Fredericksburg, Va., to date from March 2, 1867.

Brevet First Lieutenant Joseph A. Sladen, second lieutenant in the Twenty-sixth Regiment United States Infantry, for gallant and meritorious services in the battle of Jonesboro', Ga., to date from March 2, 1867.

First Lieutenant Josiah A. Sheetz, of the Thirtieth Regiment United States Infantry, for gallant and meritorious services in the battle of Vicksburg, Miss., to date from March 7, 1867.

Brevet First Lieutenant Jacob A. Sonders, second lieutenant in the Thirty-eighth Regiment United States Infantry, for gallant and meritorious services in the battle of Winchester, Va., to date from May 17, 1867.

First Lieutenant Clifford Stickney, of the Twentieth Regiment United States Infantry, for gallant and meritorious services in the capture of Atlanta, Ga., July 22, 1864, to date from March 2, 1867.

First Lieutenant William F. Spurgin, of the Thirty-eighth Regiment United States Infantry, for gallant and meritorious services in action at Johnsonville, Tenn., to date from March 2, 1867.

First Lieutenant Samuel K. Schwenck, of the Forty-first Regiment United States Infantry, for gallant and meritorious services in the battle of Spottsylvania, Va., to date from March 2, 1867.

First Lieutenant William E Sweet, of the Thirty-eighth Regiment United States Infantry, for gallant and meritorious services in the battle of Winchester, Va., to date from March 2, 1867.

First Lieutenant Thomas Shea, of the Thirty-fourth Regiment United States Infantry, for gallant and meritorious services in action at Rome, Ga., to date from March 2, 1867.

Brevet First Lieutenant Frederick W. Smith, second lieutenant in the Ninth Regiment United States Cavalry, for gallant and meritorious services in the capture of Atlanta, Ga., to date from March 2, 1867.

First Lieutenant William Shields, of the Forty-fourth Regiment United States Infantry, for gallant and meritorious services in the battle of Fredericksburg, Va., to date from March 2, 1867.

Brevet First Lieutenant Edmund R. P. Shurley, second lieutenant in the Twenty-seventh Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 15, 1867.

Brevet First Lieutenant John W. Summerhays, second lieutenant in the Thirty-third Regiment United States Infantry, for gallant and meritorious services in the battle of Cold Harbor, Va., to date from March 2, 1867.

First Lieutenant John Tyler, of the Forty-third Regiment United States Infantry, for gallant and meritorious services at the battle of South Mountain, Md., to date from March 2, 1867.

First Lieutenant Richard W. Tyler, of the Forty-fourth Regiment United States Infantry, for gallant and meritorious services in the battle of Deep Bottom, Va., to date from March 2, 1867.

Brevet First Lieutenant Samuel P. Voris, second lieutenant in the Seventeenth Regiment United States Infantry, for gallant and meritorious services in the battle of Chickamauga, Ga., to date from March 2, 1867.

First Lieutenant Frederick C. Von Schriach, of the Forty-third Regiment United States Infantry, for gallant and meritorious services in the battle of second Bull Run, Va., to date from March 2, 1867.

First Lieutenant Gustav Von Blucher, of the Sixteenth Regiment United States Infantry, for gallant and meritorious services at the battle of Chancellorsville, Va., to date from March 2, 1867.

Brevet First Lieutenant Wells Willard, second lieutenant in the Thirty-seventh Regiment United States Infantry, for gallant and meritorious services at the battle of New Market, Va., to date from March 2, 1867.

First Lieutenant John P. Willard, of the Twenty-sixth Regiment United States Infantry, for gallant and meritorious services in the battle of Chattanooga, Tenn., to date from March 2, 1867.

First Lieutenant Frederick F. Whitehead, of the Eighteenth Regiment United States Infantry, for gallant and meritorious services in the battle of Champion Hill, Miss., to date from March 2, 1867.

First Lieutenant Charles T. Witherall, of the Twenty-eighth Regiment United States Infantry, for gallant and meritorious services in the battle of Maryes Heights, Va., to date from March 2, 1867.

Brevet First Lieutenant Bradford R. Wood, jr., second lieutenant in the Twenty-second Regiment United States Infantry, for gallant and meritorious services in the battle of Poplar Grove Church, Va., to date from March 2, 1867.

Brevet First Lieutenant Alexander Wishart, second lieutenant in the Twenty seventh Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

First Lieutenant James S. Dudley, of the Second Regiment United States Artillery, for gallant and distinguished services at the battle of Malvern Hill, Va., to date from July 1, 1862.

First Lieutenant Richard G. Shaw, for gallant and meritorious services on Morris Island, S. C., to date from March 2, 1867.

First Lieutenant George F. Towle, of the Twenty-eighth Regiment United States Infantry, for gallant and meritorious services at Fort Wagner, S. C., to date from March 2, 1867.

Brevet First Lieutenant John G. Telford, second lieutenant in the Thirty-fifth Regiment United States Infantry, for gallant and meritorious services in the action at Cumberland Gap in 1863, to date from March 2, 1867.

First Lieutenant Thomas I. Gregg, of the second Regiment United States Cavalry, for gallant and meritorious services during the war, to date from March 2, 1867.

First Lieutenant William R. Parnell, of the First Regiment United States Cavalry, for gallant and meritorious services in the action at Upperville, Va., June 21, 1863, to date from March 2, 1867.

Brevet First Lieutenant Edward L. Bailey, second lieutenant in the Fourth Regiment United States Infantry, for gallant and meritorious services at the battle of Fair Oaks, Va., to date from November 6, 1867.

Brevet First Lieutenant David J. Craigie, second lieutenant in the Twenty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Iuka, to date from March 2, 1867.

Brevet First Lieutenant John B. Eaton, second lieutenant in the Third Regiment United States Artillery, for gallant and meritorious services in action before Petersburg, Va., April 2, 1865, to date from May 27, 1867.

First Lieutenant Charles E. Jewett, of the Tenth Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 2, 1867.

First Lieutenant Hugh G. Brown, of the Thirty-sixth Regiment United States Infantry, for gallant and meritorious services in the siege of Vicksburg, Miss., to date from March 2, 1867.

Brevet First Lieutenant Placidus Ord, second lieutenant in the First Regiment United States Infantry, for gallant and meritorious services in the siege of Petersburg, Va., to date from March 2, 1867.

Alonzo H. Cushing, late first lieutenant in the Fourth Regiment United States Artillery, for gallant and meritorious services in the battle of Fredericksburg, Va., to date from December 13, 1862.

Brevet First Lieutenant Martin Norton, second lieutenant in the Second Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 2, 1867.

First Lieutenant Joseph K. Byers, of the Forty-second Regiment United States Infantry, for gallant and meritorious services in the battle of Fredericksburg, Virginia, to date from March 7, 1867.

Brevet First Lieutenant John A. Campbell, second lieutenant in the Fifth Regiment United States Artillery, for gallant and meritorious services during the war, especially in the battle of Stone River, Tenn., to date from October 10, 1867.

First Lieutenant Charles F. Larrabee, of the Seventh Regiment United States Infantry, for gallant and meritorious services in the battle of Pleasant Hill, La., to date from March 2, 1867.

First Lieutenant Samuel A. Porter, of the Forty-fourth Regiment United States Infantry, for gallant and meritorious services in the battle of Chickamauga, Georgia, to date from March 20, 1867.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the officers named in the accompanying communication for appointment by brevet in the Army of the United States, as proposed by the Secretary of War *ad interim*.

ANDREW JOHNSON.

WASHINGTON, *December 3d*, 1867.

WAR DEPARTMENT,
Washington, December 3d, 1867.

SIR: I have the honor to propose for your approbation the following-named officers for appointment by brevet in the Army of the United States:

To be majors by brevet.

Captain Tenedor Ten Eyck, of the Eighteenth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 13, 1865.

Captain Asa P. Blunt, assistant quartermaster United States Army, for gallant and meritorious services at the battle of Lee's Mills, April 16, 1862, to date from March 28, 1867.

Brevet Captain Adam Badeau, first lieutenant in the Fourth Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 2, 1867.

Brevet Captain Ely S. Parker, second lieutenant in the First Regiment United States Cavalry, for faithful and meritorious services during the war, to date from March 2, 1867.

Brevet Captain Amos Webster, second lieutenant in the Fifth Regiment United States Cavalry, for faithful and meritorious services during the war, to date from March 7, 1867.

Captain Gaines Lawson, of the Thirty-ninth Regiment United States Infantry, for faithful and meritorious services, to date from March 2, 1867.

Captain Almon F. Rockwell, assistant quartermaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Captain Thomas H. Reeves, of the Thirty-ninth Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 2, 1867.

Captain Frederick E. Trotter, of the Forty-fifth Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 2, 1867.

Captain John H. Belcher, assistant quartermaster United States Army, for meritorious services in the Quartermaster's Department during the war, to date from March 2, 1867.

Captain William T. Howell, assistant quartermaster United States Army, for faithful and meritorious services in the Quartermaster's Department during the war, to date from March 2, 1867.

Captain Thomas Grey, of the Second Regiment United States Artillery, for faithful and meritorious services, to date from March 13, 1865.

Brevet Captain George N. Bomford, first lieutenant in the Seventh Regiment United States Infantry, for gallant and meritorious services at the battle of Fredericksburg, Va., to date from March 2, 1867.

Captain James A. Hearn, of the Thirty-fourth Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 2, 1867.

Captain Andrew K. Long, commissary of subsistence United States Army, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Captain George Shorkley, first lieutenant in the Fifteenth Regiment United States Infantry, for gallant and meritorious services in the engagement at Fort Stedman, Va., to date from March 2, 1867.

Brevet Captain Samuel McConihe, first lieutenant in the Fourteenth Regiment United States Infantry, for gallant and meritorious services at the battle of Spottsylvania, Va., to date from March 2, 1867.

Brevet Captain Edward A. Belger, first lieutenant in the Third Regiment United States Infantry, for gallantry at the battle of Gettysburg, Pa., July 2, 1863, to date from March 2, 1867.

Brevet Captain Clayton Hale, first lieutenant in the Thirty-fourth Regiment United States Infantry, for gallant and meritorious services at the battle of Missionary Ridge, Tenn., to date from March 2, 1867.

Brevet Captain William Arthur, first lieutenant in the Third Regiment United States Artillery, for gallant and meritorious services at battle of Ream's Station, Va., to date from March 2, 1867.

Brevet Captain Samuel Canby, first lieutenant in the Fourth Regiment United States Artillery, for gallant and meritorious services at the battle of Franklin, Tenn., to date from March 13, 1865.

Brevet Captain Edwin B. Atwood, second lieutenant in the Sixteenth Regiment United States Infantry, for gallant and meritorious services at the battle of Mission Ridge, Tenn., to date from March 2, 1867.

Brevet Captain Robert Avery, first lieutenant in the Forty-fourth Regiment United States Infantry, for gallant and meritorious services at the battle of Lookout Mountain, Tenn., to date from March 2, 1867.

Captain Edward Bloodgood, of the Thirty-eighth Regiment United States Infantry, for gallant and meritorious services in the battle of Resaca, Ga., to date from March 2, 1867.

Brevet Captain W. W. Barrett, first lieutenant in the Thirty-fourth Regiment United States Infantry, for gallant and meritorious services at the battle of Chickamauga, Ga., to date from March 2, 1867.

Brevet Captain Gustavus M. Bascom, first lieutenant in the Seventh Regiment United States Infantry, for gallant and meritorious services at the battle of Resaca, Ga., to date from March 2, 1867.

Brevet Captain James M. Bell, first lieutenant in the Seventh Regiment United States Cavalry, for gallant and meritorious services at the battle of Ream's Station, Va., to date from March 2, 1867.

Captain Charles E. Clarke, of the Thirty-eighth Regiment United States Infantry, for gallant and meritorious services in the siege of Port Hudson, La., to date from March 2, 1867.

Captain John B. Couyngham, of the Thirty-eighth Regiment United States Infantry, for gallant and meritorious services in the siege of Yorktown, Va., to date from March 7, 1867.

Captain Henry C. Corbin, of the Thirty-eighth Regiment United State Infantry, for gallant and meritorious services in action at Decatur, Ala., to date from March 2, 1867.

Captain Isaac S. Catlin, of the Forty-fifth Regiment United States Infantry, for gallant and meritorious services at the battle of the Wilderness, Va., to date from May 6, 1867.

Brevet Captain George H. Cram, first lieutenant in the Seventeenth Regiment United States Infantry, for gallant and meritorious services in the battle of Mission Ridge, Tenn., to date from March 2, 1867.

Brevet Captain Fred. W. Coleman, first lieutenant in the Fifteenth Regiment United States Infantry, for gallant and meritorious services in the battle of Cold Harbor, Va., to date from March 2, 1867.

Brevet Captain Charles C. Cresson, second lieutenant in the Thirty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Kenesaw Mountain, Ga., to date from March 2, 1867.

Brevet Captain Frederick M. Crandal, first lieutenant in the Forty-first Regiment United States Infantry, for gallant and meritorious services in the battle of Arkansas Post, Ark., to date from March 2, 1867.

Captain Murray Davis, of the Eighth Regiment United States Cavalry, for gallant and meritorious services in the battle of Guntown, Miss., to date from March 2, 1867.

Brevet Captain Jacob C. De Gress, first lieutenant in the Ninth Regiment United States Cavalry, for gallant and meritorious services in the siege of Vicksburg, Miss., to date from March 2, 1867.

Brevet Captain Lewis M. Dayton, second lieutenant in the Seventh Regiment United States Cavalry, for gallant and meritorious services in the Atlanta campaign, to date from March 2, 1867.

Brevet Captain Charles L. Davis, first lieutenant in the Tenth Regiment United States Infantry, for gallant and meritorions services in the siege of Petersburg, Va., to date from March 2, 1867.

Brevet Captain Cyrus A. Ernest, second lieutenant in the Thirty-third Regiment United States Infantry, for gallant and meritorious services in the capture of Fort McAllister, Ga., to date from March 2, 1867.

Brevet Captain William T. Frohock, first lieutenant in the Ninth Regiment United States Cavalry, for gallant and meritorions services in the battle of Shiloh, Tenn., to date from March 2, 1867.

Brevet Captain Augustus Funk, first lieutenant in the Forty-first Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Captain Calvin H. Frederick, first lieutenant in the Forty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Stone River, Tenn., to date from March 2, 1867.

Captain James Gillette, of the Fifteenth Regiment United States Infantry, for gallant and meritorions services in the battle of Chancellorsville, Va., to date from March 7, 1867.

Captain Hezekiah Gardner, of the Forty-fourth Regiment United States Infantry, for gallant and meritorious services in the battle of Missionary Ridge, Tenn., to date from March 2, 1867.

Captain John C. Gilmore, of the Thirty-eighth Regiment United States Infantry, for gallant and meritorious services at the battle of Antietam, Md., to date from March 2, 1867.

Captain Charles H. Graves, of the Thirty-fourth Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 2, 1867.

Captain Charles T. Greene, of the Forty-second Regiment United States Infantry, for gallant and meritorious services in the battle of Ringgold, Ga., November 27, 1863, to date from March 2, 1867.

Captain George S. Gallupe, of the Forty-third Regiment United States Infantry, for gallant and meritorious services in the battle of Gaines' Mills, Va., to date from March 2, 1867.

Brevet Captain Frederick A. H. Gaebel, first lieutenant in the Forty-fifth Regiment United States Infantry, for gallant and meritorions services in the battle of Fredericksburg, Va., to date from March 2, 1867.

Captain Robert P. Hughes, of the Eighteenth Regiment United States Infantry, for gallant and meritorions services in the assault of Fort Gregg, to date from March 2, 1867.

Captain William P. Huxford, of the Forty-second Regiment United States Infantry, for gallant and meritorious services in the assault of Port Hudson, La., to date from March 2, 1867.

Brevet Captain Henry H. Humphreys, first lieutenant in the Thirty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Penna., to date from March 2, 1867.

Brevet Captain Wilson T. Hartz, second lieutenant in the Fifteenth Regiment United States Infantry, for gallant and meritorious services, in the battle of Fredericksburg, Va., to date from March 2, 1867.

Brevet Captain Daniel Hart, first lieutenant in the Fortieth Regiment United States Infantry, for gallant and meritorious services in the battle of the Wilderness, Va., to date from March 2, 1867.

Brevet Captain William Harper, jr., second lieutenant in the Sixth Regiment United States Cavalry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Captain Lewis Johnson, first lieutenant in the Forty-first Regiment United States Infantry, for gallant and meritorious services in the siege, of Corinth, Miss., to date from March 2, 1867.

Captain William M. Kilgour, of the Forty-first Regiment United States Infantry, for gallant and meritorious services in the battle of Mission Ridge, Tenn., to date from March 2, 1867.

Brevet Captain Sanford C. Kellogg, first lieutenant in the Eighteenth Regiment United States Infantry, for gallant and meritorious services in the battle of Atlanta, Ga., to date from March 2, 1867.

Brevet Captain Edward B. Knox, first lieutenant in the Twenty-first Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 2, 1867.

Brevet Captain Birney B. Keeler, first lieutenant in the Thirty-ninth Regiment United States Infantry, for gallant and meritorious services in the assault on Fort Fisher, N. C., to date from March 2, 1867.

Brevet Captain John Kellisher, first lieutenant in the Forty-second Regiment United States Infantry, for gallant and meritorious services in the battle of Spottsylvania, Va., to date from March 2, 1867.

Brevet Captain William F. Lynch, first lieutenant in the Forty-second Regiment United States Infantry, for gallant and meritorious services in the battle of Pleasant Hill, La., to date from March 2, 1867.

Brevet Captain Louis J. Lambert, first lieutenant in the Seventeenth Regiment United States Infantry, for gallant and meritorious services in the battle of Chattanooga, Tenn, to date from March 2, 1867.

Brevet Captain Thomas H. Logan, first lieutenant in the Fortieth Regiment United States Infantry, for gallant and meritorious services in the battle of the Wilderness, Va., to date from March 2, 1867.

Brevet Captain John Leonard, first lieutenant in the Forty-third Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 2, 1867.

Brevet Captain George M. Love, second lieutenant in the Eleventh Regiment United States Infantry, for gallant and meritorious services in the battle of Cedar Creek, Va., to date from March 7, 1867.

Brevet Captain James N. McElroy, second lieutenant in the Eighth Regiment United States Cavalry, for gallant and meritorious services in the battle of Spottsylvania, Va., to date from March 2, 1867.

Captain Edward S. Meyer, of the Thirty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Shiloh, Tenn., to date from March 2, 1867.

Brevet Captain John H. Mahnken, first lieutenant in the Eighth Regiment United States Cavalry, for gallant and meritorious services in the battle of Five Forks, Va., to date from August 7, 1867.

Brevet Captain James N. Morgan, second lieutenant in the Thirty-eighth Regiment United States Infantry, for gallant and meritorious services in the battle of New Hope Church, to date from March 2, 1867.

Brevet Captain Horace Neide, first lieutenant in the Forty-fourth Regiment United States Infantry, for gallant and meritorious services in action at Glendale, Va., to date from March 2, 1867.

Captain George A. Purrington, of the Ninth Regiment United States Cavalry, for gallant and meritorious services at the battle of the Wilderness, Va., to date from March 2, 1867.

Brevet Captain Douglass Pope, first lieutenant in the Thirty-seventh Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Captain Robert C. Perry, first lieutenant in the Forty-second Regiment United States Infantry, for gallant and meritorious services at the battle of Spottsylvania, Va., to date from March 2, 1867.

Brevet Captain Allan Rutherford, first lieutenant in the Forty-fourth Regiment United States Infantry, for gallant and meritorious services at the battle of Bull Run, Va., to date from March 2, 1867.

Brevet Captain Edmund Rice, first lieutenant in the Fortieth Regiment United States Infantry, for gallant and meritorious services at the battle of Gettysburg, Pa., to date from March 2, 1867.

Brevet Captain Josiah A. Sheetz, first lieutenant in the Thirtieth Regiment United States Infantry, for gallant and meritorious services in the capture of Mobile, Ala., to date from March 7, 1867.

Brevet Captain William F. Spurgin, first lieutenant in the Thirty-eighth Regiment United States Infantry, for gallant and meritorious services in the battle of Nashville, Tenn., to date from March 2, 1867.

Brevet Captain Samuel K. Schwenck, first lieutenant in the Forty-first Regiment United States Infantry, for gallant and meritorious services in the battle of Ny River, Va., to date from March 2, 1867.

Brevet Captain Thomas Shea, first lieutenant in the Forty-fourth Regiment United States Infantry, for gallant and meritorious services in action at Rome, Ga., to date from March 2, 1867.

Captain Augustus G. Tassin, of the Twelfth Regiment United States Infantry, for gallant and meritorious services in the battle of Mission Ridge, Tenn., to date from March 2, 1867.

Brevet Captain John Tyler, first lieutenant in the Forty-third Regiment United States Infantry, for gallant and meritorious services in the attack at Campbell's Station, Tenn., to date from March 2, 1867.

Brevet Captain Samuel P. Voris, second lieutenant in the Seventeenth Regiment United States Infantry, for gallant and meritorious services at the battle of Mission Ridge, Tenn., to date from March 2, 1867.

Brevet Captain Gustav Van Blucher, first lieutenant in the Sixteenth Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 2, 1867.

Captain William P. Wilson, of the Twenty-first Regiment United States Infantry, for gallant and meritorious services in the battle of the Wilderness, Va., to date from March 2, 1867.

Captain William Welsh, of the Fortieth Regiment United States Infantry, for gallant and meritorious services in the battle of Fredericksburg, Va., to date from March 2, 1867.

Brevet Captain John P. Willard, first lieutenant in the Twenty-sixth Regiment United States Infantry, for gallant and meritorious services in the capture of Atlanta, Ga., to date from March 2, 1867.

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Brevet Captain Frederick F. Whitehead, first lieutenant in the Eighteenth Regiment United States Infantry, for gallant and meritorious services in the siege of Vicksburg, Miss., to date from March 2, 1867.

Brevet Captain Charles T. Witherall, first lieutenant in the Twenty-eighth Regiment United States Infantry, for gallant and meritorious services in the battle of Rappahannock Station, Va., to date from March 2, 1867.

Brevet Captain Melville C. Wilkinson, second lieutenant in the Forty-second Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Captain Thomas I. Gregg, first lieutenant in the Second Regiment United States Cavalry, for gallant and meritorious services during the war, to date from March 2, 1867.

Captain Richard C. Parker, of the Twelfth Regiment United States Infantry, for gallant and meritorious services in the field during the war, to date from March 13, 1865.

Brevet Captain William R. Parnell, first lieutenant in the First Regiment United States Cavalry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Captain Edward L. Bailey, second lieutenant in the Fourth Regiment United States Infantry, for gallant and meritorious services at the battle of Bull Run (second), Va., to date from November 6, 1867.

Brevet Captain James S. Dudley, first lieutenant in the Second Regiment United States Artillery, for gallant and meritorious services during the war, to date from March 13, 1865.

Captain Robert E. Johnson, of the Forty-third Regiment United States Infantry, for gallant and meritorious services at the battle of Gaines' Mill, Va., to date from March 2, 1867.

Brevet Captain George F. Towle, first lieutenant in the Twenty-eighth Regiment United States Infantry, for gallant and meritorious services at Russell's Mill, to date from March 2, 1867.

Captain James W. Scully, assistant quartermaster United States Army, for gallant and meritorious services in the battle of Mill Springs, Ky., to date from September 27, 1865.

Brevet Captain Hugh G. Brown, first lieutenant in the Thirty-sixth Regiment United States Infantry, for gallant and meritorious services in the capture of Fort Harrison, Va., to date from March 2, 1867.

Brevet Captain Placidus Ord, second lieutenant in the First Regiment United States Infantry, for gallant and meritorious services in the battle of Chapin's Farm, Va., to date from March 2, 1867.

Brevet Captain Alonzo H. Cushing, late first lieutenant in the Fourth Regiment United States Artillery, for gallant and meritorious services in the battle of Chancellorsville, Va., to date from May 2, 1863.

Captain Henry B. Henderson, of the United States Army, for faithful and meritorious services connected with the recruitment and organization of the Volunteer armies of the United States during the war, to date from March 13, 1865.

Captain Miles W. Keogh, of the Seventh Regiment United States Cavalry, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 2, 1867.

Brevet Captain Joseph K. Byers, first lieutenant in the Forty-second Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 7, 1867.

Brevet Captain John A. Campbell, second lieutenant in the Fifth Regiment United States Artillery, for gallant and meritorious services

during the war, especially in the battle of Resaca, Ga., to date from October 10, 1867.

Captain Robert L. Kirkpatrick, of the Forty-second Regiment United States Infantry, for gallantry at the battle of Port Republic, June 9, 1862, to date from March 2, 1862.

Brevet Captain Samuel A. Porter, first lieutenant in the Forty-fourth Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 20, 1867.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the officers named in the accompanying communication for appointment by brevet in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December 3d*, 1867.

WAR DEPARTMENT,
Washington, December 3d, 1867.

SIR: I have the honor to propose for your approbation the following-named officers for appointment by brevet in the Army of the United States:

To be colonels by brevet.

Brevet Lieutenant-Colonel David A. Russell, late major of the Eighth Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from July 1, 1863.

Brevet Lieutenant-Colonel Henry B. Judd, major in the United States Army, for faithful and meritorious services connected with the organization of the Volunteer armies of the United States during the war, to date from November 13, 1865.

Brevet Lieutenant Colonel Richard I. Dodge, major of the Thirtieth Regiment United States Infantry, for faithful and meritorious services connected with the organization of the Volunteer armies of the United States during the war, to date from March 13, 1865.

Brevet Lieutenant-Colonel Henry R. Rathbone, captain in the Twelfth Regiment United States Infantry, for faithful and meritorious services connected with the organization of the Volunteer armies of the United States, to date from March 13, 1865.

Lieutenant-Colonel William S. Ketchum, of the Tenth Regiment United States Infantry, for meritorious services in Missouri in the line of the Army, to date from February 1, 1863.

Brevet Lieutenant-Colonel Robert M. Hall, first lieutenant in the First Regiment United States Artillery, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Lieutenant-Colonel George M. McGill, late assistant surgeon United States Army, for faithful and meritorious services in the Medical Department during the prevalence of cholera near Fort Harker, Kansas, to date from July 20, 1867.

Brevet Lieutenant-Colonel Asa B. Blunt, assistant quartermaster United States Army, for meritorious services during the war, to date from March 28, 1867.

Brevet Lieutenant-Colonel Adam Badeau, first lieutenant in the Fourth Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 2, 1867.

Brevet Lieutenant-Colonel Ely S. Parker, second lieutenant in the First Regiment United States Cavalry, for faithful and meritorious services during the war, to date from March 2, 1867.

Lieutenant-Colonel Joseph B. Kiddoo, of the Forty-third Regiment United States Infantry, for gallant and meritorious services in the assault on Petersburg, Va., June 15, 1864, to date from March 2, 1867.

Brevet Lieutenant-Colonel Benjamin P. Runkle, major of the Forty-fifth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Lieutenant-Colonel Thomas Wilson, commissary of subsistence United States Army, for faithful and meritorious services during the war, to date from March 13, 1865.

Lieutenant-Colonel Cary H. Fry, deputy paymaster-general United States Army, for faithful and meritorious services during the war, to date from October 15, 1867.

Brevet Lieutenant-Colonel William M. Kilgour, captain in the Forty-first Regiment United States Infantry, for gallant and meritorious services in the battle of Nashville, Tenn., to date from March 2, 1867.

Brevet Lieutenant-Colonel George A. Purrington, captain in the Ninth Regiment United States Cavalry, for gallant and meritorious services at the battle of Cedar Creek, Va., to date from March 2, 1867.

Brevet Lieutenant-Colonel Augustus G. Tassin, captain in the Twelfth Regiment United States Infantry, for gallant and meritorious services in the battle of Nashville, Tenn., to date from March 2, 1867.

Brevet Lieutenant-Colonel James W. Scully, assistant quartermaster United States Army, for gallant and meritorious services in the battle of Nashville, Tenn., to date from September 27, 1865.

Brevet Lieutenant-Colonel Henry B. Hendershott, captain in the United States Army, for faithful and meritorious services connected with the recruitment and organization of the Volunteer armies of the United States during the war, to date from March 13, 1865.

Brevet Lieutenant-Colonel John P. Sherburne, major and assistant adjutant-general United States Army, for faithful and meritorious services during the war, to date from March 13, 1865.

Colonel Albert J. Meyer, Chief Signal Officer United States Army, for gallant and meritorious services in the battle of Malvern Hill, Va., to date from July 2, 1862.

Brevet Lieutenant-Colonel Oliver D. Greene, major and assistant adjutant-general United States Army, for gallant and meritorious services in the battle of Antietam, Md., to date from March 13, 1865.

Brevet Lieutenant-Colonel George P. Ihrie, paymaster United States Army, for gallant and meritorious services during the late rebellion, at the siege of Corinth, at Inka, battle of Corinth, Tallahatchie, advance on Grenada, Jackson, Humboldt, and siege of Vicksburg, to date from March 2, 1867.

Lieutenant-Colonel George W. Wallace, of the Twelfth Regiment United States Infantry, for faithful and meritorious services, to date from December 3, 1867.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the officers named in the accompanying communication for appointment by brevet in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December 3d*, 1867.

WAR DEPARTMENT,
Washington, December 3d, 1867.

SIR: I have the honor to propose for your approbation the following-named officers for appointment by brevet in the Army of the United States:

To be brigadier-generals by brevet.

Brevet Colonel David A. Russell, late major of the Eighth Regiment United States Infantry, for gallant and meritorious services at the battle of the Wilderness, Va., to date from May 6, 1864.

Colonel Caleb C. Sibley, of the Sixteenth Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet Colonel Joseph A. Haskin, lieutenant-colonel of the First Regiment United States Artillery, for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet Colonel James B. Fry, lieutenant-colonel and assistant adjutant-general United States Army, for gallant and meritorious services in the battles of Shiloh, Tennessee, and Perryville, Ky., to date from March 13, 1865.

Brevet Colonel Michael P. Small, captain and commissary of subsistence United States Army, for faithful and meritorious services in his department during the war, to date from April 9, 1865.

Brevet Colonel Edward W. Hinks, lieutenant-colonel of the Fortieth Regiment United States Infantry, for gallant and meritorious services in the assault on Petersburg, Va., to date from March 2, 1867.

Colonel Nathan W. Brown, assistant paymaster-general United States Army, for faithful and meritorious services during the war, to date from October 15, 1867.

Brevet Colonel George P. Buell, lieutenant-colonel of the Twenty-ninth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Colonel Philip Regis de Trobriand, of the Thirty-first Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Colonel Carey H. Fry, lieutenant-colonel and deputy paymaster-general United States Army, for faithful and meritorious services during the war, to date from October 15, 1867.

Brevet Colonel Adam Badeau, first lieutenant in the Fourth Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 2, 1867.

Brevet Colonel Ely S. Parker, second lieutenant in the First Regiment United States Cavalry, for faithful and meritorious services during the war, to date from March 2, 1867.

Colonel Albert J. Myer, Chief Signal Officer United States Army, for distinguished services in organizing, instructing, and commanding the Signal Corps of the Army, and for its especial service on October 5, 1864, the the day on which "the post and garrison at Alatoona, Ga., and a most valuable depository of provisions there," attacked by the rebel

army, were saved by troops brought up by signals just in time to defend it, the messages being sent over the heads of the enemy, and when communication in any other way was impossible, to date from March 13, 1867.

Brevet Colonel Oliver D. Greene, major and assistant adjutant general United States Army, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Colonel George P. Ihrie, paymaster United States Army, for gallant and meritorious services during the late rebellion, at the siege of Corinth, at Inka, battle of Cornith, Tallahatchie, advance on Grenada, Jackson, Humboldt, and siege of Vicksburg, to date from March 2, 1867.

Brevet Colonel George Bell, major and commissary of subsistence United States Army, for faithful and meritorious services in the Subsistence Department during the war, to date from April 9, 1865.

Brevet Colonel George W. Wallace, lieutenant-colonel of the Twelfth Regiment United States Infantry, for faithful and meritorious services, to date from December 3, 1867.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the officers named in the accompanying communication for appointment by brevet in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December 3d*, 1867.

WAR DEPARTMENT,
Washington, December 3d, 1867.

SIR: I have the honor to propose for your approbation the following-named officers for appointment by brevet in the Army of the United States:

To be major-generals by brevet.

Brevet Brigadier-General David A. Russell, late major of the Eighth Regiment United States Infantry, for gallant and meritorious services at the battle of the Opequan, Va., September 19, 1864 (where killed), to date from September 19, 1864.

Brevet Brigadier-General James B. Fry, lieutenant-colonel and assistant adjutant-general United States Army, for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet Brigadier-General Randolph B. Marcy, colonel and inspector-general United States Army, for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet Brigadier-General Delos B. Sacket, colonel and inspector-general United States Army, for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet Brigadier-General Galusha Pennypacker, colonel of the Thirty-fourth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Brigadier-General Stewart Van Vliet, lieutenant-colonel and deputy quartermaster-general United States Army, for faithful and

distinguished services in the Quartermaster's Department during the war, to date from March 13, 1865.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the officers named in the accompanying communication for appointment by brevet in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December* 3, 1867.

WAR DEPARTMENT,
Washington, December 3, 1867.

SIR: I have the honor to propose for your approbation the following-named officers for appointment by brevet in the Army of the United States:

To be lieutenant-colonels by brevet.

Brevet Major Henry W. Janes, assistant quartermaster United States Army, for faithful and meritorious services during the war, to date from March 13, 1865.

David A. Russell, late major of the Eighth Regiment United States Infantry, for gallant and meritorious services in the Peninsular campaign, Va., to date from July 1, 1862.

Brevet Major John H. Knight, captain in the Eighteenth Regiment United States Infantry, for faithful and meritorious services connected with the organization of the Volunteer armies of the United States, to date from March 13, 1865.

Brevet Major Samuel Dana, paymaster United States Army, for faithful and meritorious services connected with the organization of the Volunteer armies of the United States, to date from March 13, 1865.

Brevet Major Joseph G. Tilford, captain in the Third Regiment United States Cavalry, for faithful and meritorius services during the war, to date from March 13, 1865.

Brevet Major Asa P. Blunt, assistant quartermaster United States Army, for gallant and meritorious services at the battle of Savage Station, June 29, 1862, to date from March 28, 1867.

Brevet Major Adam Badeau, first lieutenant in the Fourth Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 2, 1867.

Brevet Major Ely S. Parker, second lieutenant in the First Regiment United States Cavalry, for faithful and meritorious services during the war, to date from March 2, 1867.

Major George K. Leet, assistant adjutant-general United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Brevet Major Gaines Lawson, captain in the Thirty-ninth Regiment United States Infantry, for faithful and meritorious services, to date from March 2, 1867.

Brevet Major Almon F. Rockwell, assistant quartermaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Brevet Major James Powell, captain in the Twenty-seventh Regiment United States Infantry, for gallant conduct in the fight with the Indians near Fort Philip Kearney, D. T., August 2, 1867, to date from August 2, 1867.

Brevet Major Thomas H. Reeves, captain in the Thirty-ninth Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 2, 1867.

Brevet Major Frederick E. Trotter, captain in the Forty-fifth Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 2, 1867.

Brevet Major William Ludlow, captain Corps of Engineers, for gallant and meritorious conduct in the campaign of the Carolinas, to date from March 13, 1865.

Major Benjamin P. Runkle, of the Forty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Shiloh, Tenn., to date from March 2, 1867.

Brevet Major Stephen C. Lyford, captain in the Ordnance Department United States Army, for gallant and meritorious services during the war, to date from March 13, 1865.

Major Marshall I. Ludington, quartermaster United States Army, for faithful and meritorious services in the Quartermaster's Department during the war, to date from March 2, 1867.

Brevet Major Thomas Grey, captain in the Second Regiment United States Artillery, for faithful and meritorious services, to date from March 13, 1865.

Brevet Major Andrew K. Long, captain and commissary of subsistence United States Army, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Major Samuel McConihe, first lieutenant in the Fourteenth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Major Clayton Hale, first lieutenant in the Thirty-fourth Regiment United States Infantry, for gallant and meritorious services at the battle of Franklin, Tenn., to date from March 2, 1867.

Brevet Major Edward Bloodgood, captain in the Thirty-eighth Regiment United States Infantry, for gallant and meritorious services in the Savannah campaign, to date from March 2, 1867.

Brevet Major W. W. Barrett, first lieutenant in the Thirty-fourth Regiment United States Infantry, for gallant and meritorious services at the battle of Peach Tree Creek, Ga., to date from March 2, 1867.

Major Charles E. Compton, of the Fortieth Regiment United States Infantry, for gallant and meritorious services in the campaign against Mobile, Ala., to date from March 2, 1867.

Brevet Major John B. Conyngham, captain in the Thirty-eighth Regiment United States Infantry, for gallant and meritorious services at the battle of Fair Oaks, Va., to date from March 7, 1867.

Brevet Major Henry C. Corbin, captain in the Thirty-eighth Regiment United States Infantry, for gallant and meritorious services in the battle of Nashville, Tenn., to date from March 2, 1867.

Brevet Major Isaac S. Catlin, captain in the Forty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Petersburg, Va., to date from May 6, 1867.

Brevet Major George H. Cram, captain in the Seventeenth Regiment United States Infantry, for gallant and meritorious services in the battle of Atlanta, Ga., to date from March 2, 1867.

Brevet Major Frederick M. Crandall, first lieutenant in the Forty-first Regiment United States Infantry, for gallant and meritorious services in the capture of Fort Blakely, Ala., to date from March 2, 1867.

Brevet Major Jacob C. De Gress, first lieutenant in the Ninth Regiment United States Cavalry, for gallant and meritorious services in the battle of Bayou de Glaize, to date from March 2, 1867.

Brevet Major Lewis M. Dayton, second lieutenant in the Seventh Regiment United States Cavalry, for gallant and meritorious services in the campaign through the Carolinas, to date from March 2, 1867.

Brevet Major William T. Frohock, first lieutenant in the Ninth Regiment United States Cavalry, for gallant and meritorious services in the siege of Vicksburg, Miss., to date from March 2, 1867.

Brevet Major Augustus Funk, first lieutenant in the Forty-first Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Major John C. Gilmore, captain in the thirty-eighth Regiment United States Infantry, for gallant and meritorious services in the battle of Fredericksburg, Va., to date from March 2, 1867.

Brevet Major Charles H. Graves, captain in the Thirty-fourth Regiment United States Infantry, for gallant and meritorious services in the assault on Fort Fisher, N. C., to date from March 2, 1867.

Brevet Major George S. Gallupe, captain in the Forty-third Regiment United States Infantry, for gallant and meritorious services in the battle of Charles City Cross Roads, Va., to date from March 2, 1867.

Brevet Major Lewis Johnson, first lieutenant in the Forty-first Regiment United States Infantry, for gallant and meritorious services in the battle of Mission Ridge, Tenn., to date from March 2, 1867.

Brevet Major William M. Kilgour, captain in the Forty-first Regiment United States Infantry, for gallant and meritorious services in the battle of Atlanta, Ga, to date from March 2, 1867.

Brevet Major Sanford C. Kellogg, first lieutenant in the Eighteenth Regiment United States Infantry, for gallant and meritorious services in the battle of Nashville, Tenn., to date from March 2, 1867.

Brevet Major Edward B. Knox, first lieutenant in the Twenty-first Regiment United States Infantry, for gallant and meritorious services in the battle of Spottsylvania C. H., Va., to date from March 2, 1867.

Brevet Major William F. Lynch, first lieutenant in the Forty-second Regiment United States Infantry, for gallant and meritorious services in the battle of Yellow Bayou, La., to date from March 2, 1867.

Brevet Major Louis J. Lambert, first lieutenant in the Seventeenth Regiment United States Infantry, for gallant and meritorious services in the battle of Pocotaligo River, S. C., to date from March 2, 1867.

Brevet Major George M. Love, second lieutenant in the Eleventh Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 7, 1867.

Brevet Major James N. McElroy, second lieutenant in the Eighth Regiment United States Cavalry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Major Edward S. Meyer, captain in the Thirty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Chancellorsville, Va., to date from March 2, 1867.

Brevet Major George A. Purington, captain in the Ninth Regiment United States Cavalry, for gallant and meritorious services at the battle of Winchester, Va., to date from March 2, 1867.

Brevet Major Edmund Rice, first lieutenant in the Fortieth Regiment United States Infantry, for gallant and meritorious services at the battle of the Wilderness, Va., to date from March 2, 1867.

Brevet Major Samuel K. Schwenck, first lieutenant in the Forty-first Regiment United States Infantry, for gallant and meritorious services in the battle of Cold Harbor, Va., to date from March 2, 1867.

Brevet Major Thomas Shea, first lieutenant in the Forty-fourth Regiment United States Infantry, for gallant and meritorious services in the battle of Peach Tree Creek, Ga., to date from March 2, 1867.

Brevet Major Augustus G. Tassin, captain in the Twelfth Regiment United States Infantry, for gallant and meritorious services in the capture of Atlanta, Ga., to date from March 2, 1867.

Brevet Major William Welsh, captain in the Fortieth Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 2, 1867.

Brevet Major John P. Willard, first lieutenant in the Twenty-sixth Regiment United States Infantry, for gallant and meritorious services in the battle of Nashville, Tenn., to date from March 2, 1867.

Brevet Major Robert E. Johnston, captain in the Forty-third Regiment United States Infantry, for gallant and meritorious services at the battle of Fredericksburg, Va., to date from March 2, 1867.

Brevet Major Charles B. Atchison, captain in the Third Regiment United States Infantry, for faithful and meritorious services during the war, to date from October 28, 1867.

Brevet Major George F. Towle, first lieutenant in the Twenty-eighth Regiment United States Infantry, for gallant and meritorious services in the capture of Fort Fisher, N. C., to date from March 2, 1867.

Brevet Major Edward L. Bailey, second lieutenant in the Fourth Regiment United States Infantry, for gallant and meritorious services at the battle of Gettysburg, Pa., to date from November 6, 1867.

Brevet Major Charles B. Penrose, captain and commissary of subsistence United States Army, for faithful and meritorious services during the war, to date from November 11, 1867.

Brevet Major James W. Scully, assistant quartermaster in United States Army, for gallant and meritorious services in the battle of Shiloh, Tenn., to date from September 27, 1865.

Brevet Major Alonzo H. Cushing, late first lieutenant in the Fourth Regiment United States Artillery, for conspicuous gallantry at the battle of Gettysburg, Pa., to date from July 1, 1863.

Brevet Major George McGown, captain United States Army, for faithful and meritorious services connected with the mustering out and disbanding of the Volunteer armies of the United States, to date from November 15, 1865.

Brevet Major Henry B. Hendershott, captain in the United States Army, for faithful and meritorious services connected with the recruitment and organization of the Volunteer armies of the United States during the war, to date from March 13, 1865.

Brevet Major Miles W. Keogh, captain in the Seventh Regiment United States Cavalry, for gallant and meritorious services in the battle of Dallas, Ga., to date from March 2, 1867.

Major John P. Sherburne, assistant adjutant-general United States Army, for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet Major Henry H. Humphreys, first lieutenant in the Thirty-fifth Regiment United States Infantry, for gallant and meritorious services at the fall of Petersburg and pursuit of the rebel army under General Robert E. Lee, to date from March 2, 1867.

Colonel Albert J. Meyer, Chief Signal Officer United States Army, for gallant and meritorious services in the battle of Hanover Court-House, Va., to date from May 27, 1862.

Major Oliver D. Greene, assistant adjutant-general United States Army, for gallant and meritorious services in the battle of Crampton's Gap, Md., to date from March 13, 1865.

Brevet Major John A. Campbell, second lieutenant in the Fifth Regiment United States Artillery, for gallant and meritorious services during the war, especially in the battle of Franklin, Tenn., to date from October 10, 1867.

Brevet Major Robert L. Kilpatrick, captain in the Forty-second Regiment United States Infantry, for gallantry at the battle of Chancellorsville, Va., to date from March 2, 1867.

Major William G. Moore, paymaster United States Army, for faithful and meritorious services, to date from March 2, 1867.

Major George P. Ihrie, paymaster United States Army, for gallant and meritorious services during the late rebellion at the siege of Corinth, at Iuka, battle of Corinth, Tallahatchie, advance on Grenada, Jackson, Humboldt, and siege of Vicksburg, to date from March 2, 1867.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment by brevet in the Volunteer force, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December* 7, 1867.

WAR DEPARTMENT,
Washington, December 7, 1867.

SIR: I have the honor to propose for your approbation the following-named persons for appointment by brevet in the Volunteer force:

To be brigadier-generals by brevet.

S. M. Pollock, late colonel of the Sixth Iowa Cavalry, for faithful and meritorious services, to date from March 13, 1865.

William P. Wainwright, late colonel of the Seventy-sixth New York Volunteers, for faithful and meritorious services, to date from March 13, 1865.

William Heine, late colonel of the One hundred and third New York Volunteers, for faithful and meritorious services during the war, to date from March 13, 1865.

Brayton Ives, late colonel of the First Connecticut Cavalry, for gallantry at the battle of Ream's Station and Deep Bottom No. 1 (1864), and Five Forks and Sailor's Creek (1865), to date from March 13, 1865.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment by brevet in the Volunteer force, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December 7th*, 1867.

WAR DEPARTMENT,
Washington, December 7th, 1867.

SIR: I have the honor to propose for your approbation the following-named persons for appointment by brevet in the Volunteer force:

To be lieutenant-colonels by brevet.

John R. Bailey, late surgeon of the Eighth Missouri Volunteers, for faithful and meritorious services in the Medical Department, to date from March 13, 1865.

Brevet Major Edward C. Moore, late captain of the Seventeenth Maine Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment by brevet in the Volunteer force, as proposed by the Secretary of War *ad interim*.

ANDREW JOHNSON.

WASHINGTON, *December 7th*, 1867.

WAR DEPARTMENT,
Washington, December 7th, 1867.

SIR: I have the honor to propose for your approbation the following-named persons for appointment by brevet in the Volunteer force:

To be majors by brevet.

Edward D. Parker, late captain of the One hundred and forty-seventh New York Volunteers, for gallant and meritorious services in the battle of Gettysburg, Pennsylvania, to date from March 13, 1865.

Edward C. Moore, late captain of the Seventeenth Maine Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Captain Frederick De Peyster, late second lieutenant of the Eighth New York State Militia, for faithful and meritorious services, to date from March 13, 1865.

I am, sir, with great respect, your obedient servant.,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the person named in the accompanying communication for appointment by brevet in the Volunteer force, as proposed by the Secretary of War *ad interim*.

ANDREW JOHNSON.

WASHINGTON, *December* 7, 1867.

WAR DEPARTMENT,
Washington, December 7, 1867.

SIR: I have the honor to propose for your approbation the following-named person for appointment by brevet in the Volunteer force:

To be captain by brevet.

Brevet First Lieutenant Frederick De Peyster, late second lieutenant in the Eighth New York State Militia, for faithful and meritorious services, to date from March 13, 1865.

I am, sir, with great respect, your obedient servant.

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the person named in the accompanying communication for appointment by brevet in the Volunteer force, as proposed by the Secretary of War ad interim.

ANDREW JOHNSON.

WASHINGTON, *December* 7, 1867.

WAR DEPARTMENT,
Washington, December 7, 1867.

SIR: I have the honor to propose for your approbation the following-named person for appointment by brevet in the Volunteer force:

To be first lieutenant by brevet.

Frederick De Peyster, late second lieutenant of the Eighth New York Militia, for faithful and meritorious services, to date from March 13, 1865.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment by brevet in the Volunteer force, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December* 3, 1867.

WAR DEPARTMENT,
Washington, December 3, 1867.

SIR: I have the honor to propose for your approbation the following-named persons for appointment by brevet in the Volunteer force:

To be first lieutenants by brevet.

Frank M. Kelley, late second lieutenant of the Forty-fourth New York Volunteers, for gallant, faithful, and meritorious services during the war, to date from March 13, 1865.

James Riley Weaver, late second lieutenant of the Eighteenth Pennsylvania Cavalry, for faithful and meritorious services, to date from March 13, 1865.

Thomas N. Trickey, late second lieutenant of the Fifty-fourth Regiment United States Colored Troops, for faithful and meritorious services during the war, to date from March 13, 1865.

James Fitzgerald, late second lieutenant of the Fifty-fourth Regiment United States Colored Troops, for faithful and meritorious services during the war, to date from March 21, 1867.

Byron Pope, late second lieutenant of the Third Pennsylvania Artillery, for faithful and meritorious services during the war, to date from June 13, 1865.

H. H. Parker, late second lieutenant of the Sixth United States Volunteer Infantry, for faithful and meritorious services, to date from March 13, 1865.

Harvey W. Benson, late second lieutenant of the Signal Corps, for faithful and meritorious services during the war, to date from March 13, 1865.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment by brevet in the Volunteer force, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December* 3, 1867.

WAR DEPARTMENT,
Washington, December 3, 1867.

SIR: I have the honor to propose for your approbation the following-named persons for appointment by brevet in the Volunteer force:

To be captains by brevet.

Daniel M. Page, late first lieutenant of the One hundred and eleventh Regiment United States Colored Troops, for faithful and meritorious services during the war, to date from March 13, 1865.

Henry H. Granger, late first lieutenant of the Tenth Massachusetts Light Artillery, for gallant and meritorious services, especially at the battle of Hatcher's Run, Va., October 27, 1864, where mortally wounded, to date from October 27, 1864.

C. Howard Royce, late first lieutenant of the Fifty-seventh Massachusetts Volunteers for gallant and meritorious services in the battle of North Anna River, Va., to date from March 13, 1865.

James Stephenson, late first lieutenant of Battery C, Independent Pennsylvania Light Artillery, for gallant and meritorious services at the battles of Bull Run, Va., and Gettysburg, Pa., to date from March 13, 1865.

R. C. Hazlett, late first lieutenant of Battery C, Independent Pennsylvania Light Artillery, for gallant and meritorious services in the battles of Bull Run, Va., and Gettysburg, Pa., to date from March 13, 1865.

Brevet First Lieutenant Frank M. Kelley, late second lieutenant of the Forty-fourth New York Volunteers, for gallant, faithful, and meritorious services during the war, to date from March 13, 1865.

John C. Dougherty, late first lieutenant in the One hundredth Pennsylvania Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Henry C. Dane, late first lieutenant of the Forty-first Massachusetts Volunteers, for gallantry at the battle of Sabine Pass, Texas, September 8, 1863, to date from March 13, 1865.

G. E. Johnson, late first lieutenant of the Ninety-ninth Pennsylvania Volunteers, for gallant and meritorious services during the Peninsular campaign, Virginia, in 1862, to date from March 13, 1865.

Leavitt Hunt, late first lieutenant of the Thirty-eighth New York Volunteers, for gallant and meritorious services during the Peninsular campaign, Virginia, in 1862, to date from March 13, 1865.

Brevet First Lieutenant James Riley Weaver, late second lieutenant of the Eighteenth Pennsylvania Cavalry, for faithful and meritorious services, to date from March 13, 1865.

William Raymond, late first lieutenant of the Fifth New York Volunteers, for gallant and meritorious services at the battles of Hatcher's Run, Five Forks, and Appomattox Court-House, Virginia, to date from March 13, 1865.

William A. Clark, late first lieutenant of the One hundred and seventeenth Regiment United States Colored Troops, for faithful and meritorious services during the war, to date from March 13, 1865.

Peter N. Jonte, late first lieutenant of the One hundred and seventeenth Regiment United States Colored Troops, for faithful and meritorious services during the war, to date from March 13, 1865.

Charles W. Price, late first lieutenant of the One hundred and seventeenth Regiment United States Colored Troops, for faithful and meritorious services during the war, to date from March 13, 1865.

Myron Morse, late first lieutenant of the One hundred and seventeenth Regiment United States Colored Troops, for faithful and meritorious services during the war, to date from March 13, 1865.

Charles T. Hilton, late first lieutenant of the One hundred and seventeenth Regiment United States Colored Troops, for faithful and meritorious services during the war, to date from March 13, 1865.

Orville F. Rogers, late first lieutenant of the One hundred and seventeenth Regiment United States Colored Troops, for faithful and meritorious services during the war, to date from March 13, 1865.

Levi C. Flint, late first lieutenant of the Eightieth Regiment United States Colored Troops, for gallant and meritorious services during the war, to date from March 13, 1865.

Samuel W. Clark, late second lieutenant Provisional Second Pennsylvania Heavy Artillery, for gallant and meritorious conduct in action before Petersburg, Va., to date from June 17, 1864.

Francis E. Dwinal, late first lieutenant of the Thirtieth Maine Volunteers, for gallant and meritorious services at the battles of Sabine Cross-Roads, Pleasant Hill, and Monét's Bluff, La., to date from August 17, 1865.

I. Newton Ritner, late first lieutenant of the Forty-ninth Pennsylvania Volunteers, for faithful and meritorious services during the war, to date from March 13, 1865.

M. Emmett Urell, late first lieutenant of the Eighty second New York Volunteers, for gallant and meritorious services at the battles of Fair Oaks and Bristow Station, Va., to date from March 13, 1865.

Solon A. Perkins, late first lieutenant of the Third Massachusetts Cavalry, for gallant and meritorious services at the battle of Clinton, La., where killed, to date from June 3, 1863.

Fred. L. Atwood, late first lieutenant of Battery F, Pennsylvania Independent Artillery, for gallant and good conduct at the battle of Chancellorsville, Va., to date from March 13, 1865.

George Ritchie, late first lieutenant of Battery F, Pennsylvania Independent Artillery, for gallant and good conduct at the battle of Chancellorsville, Va., to date from March 13, 1865.

Benjamin G. Mann, late first lieutenant of the First Massachusetts Cavalry, for faithful and meritorious services during the war, to date from March 13, 1865.

R. L. Ashhurst, late first lieutenant of the One hundred and fiftieth Pennsylvania Volunteers, for meritorious services at Pollock's Mills and at the battle of Chancellorsville, Va., to date from March 13, 1865.

William Ross, late first lieutenant of the Sixteenth Massachusetts Volunteers, for gallant and meritorious services at the battles of Fair Oaks and Bull Run (2d), Va., to date from March 13, 1865.

T. E. Merchant, late first lieutenant of the Fifty-seventh Pennsylvania Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

William Gilbert, late first lieutenant of the One hundred and eighty-fifth New York Volunteers, for gallant and meritorious services, to date from March 13, 1865.

Brevet First Lieutenant Harvey W. Benson, late second lieutenant of the Signal Corps, for faithful and meritorious services during the war, to date from March 13, 1865.

Benjamin T. Martin, late first lieutenant and aide-de-camp United States Volunteers, for gallant and meritorious services at the battle of Antietam, Md., to date from March 13, 1865.

Richard Oulahan, late first lieutenant of the One hundred and sixty-fourth New York Volunteers, for faithful services in the engagement at Deserted House and in the siege of Suffolk, Va., to date from March 13, 1865.

Hiram Crampton, late first lieutenant of the Forty-fourth Regiment United States Colored Troops, for gallant and meritorious services in the battle of Nashville, Tenn., to date from March 13, 1865.

Sydney L. Wailes, late adjutant of the Purnell Legion, for gallant and meritorious services in the battle of Cold Harbor, Va., to date from March 13, 1865.

Justin K. Richardson, late first lieutenant of the Thirtieth Maine Volunteers, for distinguished gallantry at the battles of Sabine Cross-Roads, Pleasant Hill, and Monet's Bluff, La., to date from March 13, 1865.

Charles F. Lee, late first lieutenant of the Fifty-fifth Massachusetts Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

William C. Roberts, late first lieutenant of the Fifty-fifth Massachusetts Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

George H. Carter, late first lieutenant of the Fifty-fifth Massachusetts Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

John C. Chance, late first lieutenant of the Veteran Reserve Corps, for gallant and meritorious services during the war, to date from March 13, 1865.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment by brevet in the Volunteer force, as proposed by the Secretary of War.

ANDREW JOHNSON.

WASHINGTON, *December 3d*, 1867.

WAR DEPARTMENT,
Washington, December 3d, 1867.

SIR: I have the honor to propose for your approbation the following-named persons for appointment by brevet in the Volunteer force:

To be majors by brevet.

Elbert Hegeman, late captain of the Third New York Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

Norman M. Smith, late captain of the Nineteenth Pennsylvania Cavalry, for distinguished gallantry in the battle of Hollow Tree Gap, Tenn., December 17, 1864, to date from March 13, 1865.

Brevet Captain Daniel M. Page, late first lieutenant of the One hundred and eleventh Regiment United States Colored Troops, for faithful and meritorious services during the war, to date from March 13, 1865.

John R. Breitenbach, late captain of the One hundred and sixth Pennsylvania Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Captain Henry H. Granger, late first lieutenant of the Tenth Massachusetts Light Artillery, for gallant and meritorious services, especially at the battle of Hatcher's Run, Va., October 27, 1864, where mortally wounded, to date from October 27, 1864.

Brevet Captain C. Howard Royce, late first lieutenant of the Fifty-seventh Massachusetts Volunteers, for gallant and meritorious services before Petersburg, Va., to date from March 13, 1865.

James Thompson, late captain of Battery C, Independent Pennsylvania Light Artillery, for gallant and meritorious conduct at the battle of Cedar Mountain, Va., August 9th, 1862, to date from March 13, 1865.

George H. Treadwell, late captain of the Seventh New York Artillery, for faithful and efficient services during the war, to date from March 13, 1865.

Brevet Captain Henry C. Dane, late first lieutenant of the Forty-first Massachusetts Volunteers, for meritorious services in the attack upon and capture of Forts Gaines and Morgan, in Mobile Bay, August 1st and 10th, 1864, to date from March 13, 1865.

Isaac Moses, late captain and assistant adjutant-general of Volunteers, for gallant and meritorious services during the Peninsular campaign.

Samuel F. Murry, late captain of the Second Regiment United States Sharpshooters, for gallant and meritorious services during the war, to date from March 13, 1865.

Harrison G. Otis, late captain of the Twenty-third Ohio Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Captain James Riley Weaver, late second lieutenant of the Eighteenth Pennsylvania Cavalry, for faithful and meritorious services, to date from March 13, 1865.

Edgar J. Sherman, late captain of the Forty-eighth Massachusetts Volunteers, for gallant and meritorious services, to date from March 13, 1865.

George V. Griggs, late captain of the Second New York Cavalry, for resisting with great gallantry the advance of General Stuart's Rebel Cavalry into Maryland at Seneca Falls, June 28, 1863, to date from March 13, 1865.

Lester Dwinell, late captain of the Fifteenth Maine Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Hugh M. Hutchins, late captain of the One hundred and seventeenth Regiment United States Colored Troops, for faithful and meritorious services during the war, to date from March 13, 1865.

William Myers, late captain of the One hundred and seventeenth Regiment United States Colored Troops, for faithful and meritorious services during the war, to date from March 13, 1865.

James Woodward, late captain of the One hundred and seventeenth Regiment United States Colored Troops, for faithful and meritorious services during the war, to date from March 13, 1865.

Wallace T. Larkin, late captain of the One hundred and seventeenth Regiment United States Colored Troops, for faithful and meritorious services during the war, to date from March 13, 1865.

John Paulson, late captain of the One hundred and seventeenth Regiment United States Colored Troops, for faithful and meritorious services during the war, to date from March 13, 1865.

Olando B. Griffeth, late captain of the Eighty second Pennsylvania Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

John T. O'Brien, late captain of the Eighty-second Pennsylvania Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Jeremiah Lanahan, late captain of the Third Rhode Island Heavy Artillery, for gallantry at the battle of James Island, S. C., June, 1862, and for gallant and meritorious services during the war, to date from March 13, 1865.

J. E. Thorndike, late captain and additional aide-de-camp of Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Captain William A. Anderson, late adjutant of the Twentieth Indiana Volunteers, for gallant and meritorious services in the campaign terminating in the capture of Petersburg and the surrender of the insurgent Army of Northern Virginia, to date from April 9, 1865.

Brevet Captain Henry G. Hamilton, late first lieutenant of the One Hundred and Fortieth New York Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Captain Francis E. Dwinal, late first lieutenant of the Thirtieth Maine Volunteers, for gallant and meritorious services at the battles of Sabine Cross-Roads, Pleasant Hill, and Monét's Bluff, La., to date from August 17, 1865.

E. D. Kennedy, late captain of the One hundred and nineteenth Regiment United States Colored Troops, for gallant and meritorious services during the war, to date from March 13, 1865.

William J. Handy, late captain of the Second Michigan Volunteers, for gallantry at the battle of Williamsburg, Va., May 5, 1862, to date from March 13, 1865.

James McKeon, late captain of the Fifth New York Volunteers, for gallant and meritorious services in the battles of Bethesda Church and Petersburg, in 1864, to date from March 13, 1865.

A. F. Garrison, late captain and commissary of subsistence of Volunteers, for faithful and meritorious services in the Subsistence Department, to date from March 13, 1865.

Azor S. Marvin, late captain and assistant adjutant-general of Volunteers, for gallant and meritorious services at the battle of Gettysburg, Pa., to date from March 13, 1865.

James T. Capelle, late captain of the Sixteenth Massachusetts Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Captain M. Emmet Urell, late first lieutenant of the Eighty-second New York Volunteers, for gallant and meritorious services at the battle of the Wilderness, Va., to date from March 13, 1865.

Brevet Captain Solon A. Perkins, late first lieutenant of the Third Massachusetts Cavalry, for gallant and meritorious services at the battle of Clinton, La., where killed, to date from June 3, 1863.

James T. Clark, late assistant quartermaster of Volunteers, for faithful and meritorious services during the war, to date from March 13, 1865.

William A. Greene, late captain of the One hundred and seventy-third New York Volunteers, for gallant and meritorious conduct at the siege of Port Hudson, La., to date from March 13, 1865.

Peter C. Bain, late captain of the Sixty-first New York Volunteers, for conspicuous gallantry at the battle of Fair Oaks, Va., to date from March 13, 1865.

Nathaniel A. Conklin, late captain of the One hundred and seventy-third New York Volunteers, for gallant and meritorious conduct in the battles of Cedar Mountain, Bisland, and siege of Port Hudson, to date from March 13, 1865.

B. J. Van Valkenburgh, late assistant quartermaster of Volunteers, for distinguished bravery at the battles of Perryville, Ky., and Stone River, Tenn., to date from March 13, 1865.

Jay Du Bois, late captain of the Twenty-seventh Connecticut Volunteers, for gallant and meritorious services at the battle of Gettysburg, Pa., to date from March 13, 1865.

Brevet Captain Fred L. Atwood, late first lieutenant of Battery F Pennsylvania Independent Artillery, for gallantry and good conduct at the battle of Gettysburg, Pa., to date from March 13, 1865.

Brevet Captain George Ritchie, late first lieutenant of Battery F Pennsylvania Independent Artillery, for gallantry and good conduct at the battle of Gettysburg, Pa., to date from March 13, 1865.

James G. Paine, late assistant quartermaster of Volunteers, for faithful and meritorious services in the Quartermaster's Department, to date from March 13, 1865.

William Fisher, late captain and assistant adjutant-general of Volunteers, for gallant and meritorious conduct at the battle of Cedar Mountain, Va., August 9, 1862, to date from March 13, 1865.

Brevet Captain R. L. Ashhurst, late first lieutenant of the One hundred and fiftieth Pennsylvania Volunteers, for distinguished gallantry at the battle of Gettysburg, Pa., to date from March 13, 1865.

Howard C. Conrady, late captain of the One hundred and seventy-third New York Volunteers, for gallant and meritorious services at Bisland, Sabine Cross-Roads, Pleasant Hill, and Cane River Crossing, Louisiana, to date from March 13, 1865.

Brevet Captain William Ross, late first lieutenant of the Sixteenth Massachusetts Volunteers, for gallant and meritorious services at the battle of Bethesda Church, Va., to date from March 13, 1865.

John S. Godfrey, late assistant quartermaster of Volunteers, for faithful and meritorious services in the Quartermaster's Department during the war, to date from March 13, 1865.

Brevet Captain Benjamin T. Martin, late first lieutenant and aide-de-camp of Volunteers, for gallant and meritorious services at the battle of Gettysburg, Pa., to date from March 13, 1865.

Evan W. Woodward, late captain of the Second Pennsylvania Reserves, for gallant and meritorious services at the battle of Fredericksburg, Va., to date from March 13, 1865.

Brevet Captain Richard Oulahan, late first lieutenant of the One hundred and sixty-fourth New York Volunteers, for faithful services in the engagement at Blackwater, Va., July, 1863, to date from March 13, 1865.

Andrew M. Benson, late first lieutenant of the Seventh Connecticut Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

James F. Farrell, late captain of the Fifth New York Artillery, for gallant and meritorious services during the war, to date from March 13, 1865.

Whitman Sawyear, late captain of the Third Maine Volunteers, for gallant and meritorious services in the battles of Sabine Cross-Roads and Pleasant Hill, La., to date from March 13, 1865.

Ambrose E. Beardsley, late captain of the Twentieth Connecticut Volunteers, for ability and good conduct in many campaigns and battles, as company commander and staff officer, to date from March 13, 1865.

Theodore McMurtrie, late captain of the Veteran Reserve Corps, for gallant and meritorious services at the battle of Fredericksburg, Va., to date from March 13, 1865.

James B. Kirker, late assistant quartermaster of Volunteers, for faithful and meritorious services. to date from March 13, 1865.

George H. Johnston, late captain and assistant adjutant-general of Volunteers, for gallant conduct in the battles of Williamsburg and Fair Oaks, Va., to date from March 13, 1865.

George W. Debevoise, late captain of the Veteran Reserve Corps, for gallant and meritorious services at the battle of Roanoke Island, and during the war, to date from March 13, 1865.

Channing Clapp, late captain of the First Massachusetts Cavalry, for faithful and meritorious services, to date from March 13, 1865.

Delos Gary, late captain of the One hundred and forty-seventh New York Volunteers, for faithful and meritorious services, to date from March 13, 1865.

Nathan A. Wright, late captain of the One hundred and forty-seventh New York Volunteers, for faithful and meritorious services, to date from March 13, 1865.

Brevet Captain Sydney I. Wailes, late adjutant of the Purnell Legion, for gallant and meritorious services in the battle of the Weldon Railroad, Va., to date from March 13, 1865.

Brevet Captain Justin K. Richardson, late first lieutenant of the Thirtieth Maine Volunteers, for distinguished gallantry at the battles of Sabine Cross-Roads, Pleasant Hill, and Monet's Bluff, La., to date from March 13, 1865.

Edward D. Towne, late captain of the First Wisconsin Cavalry, for distinguished services during the war, to date from March 13, 1865.

Brevet Captain John C. Chance, late first lieutenant of the Veteran Reserve Corps, for gallant and meritorious services during the war, to date from March 13, 1865.

Henry A. Shovey, late captain of the Fifteenth Maine Volunteers, for meritorious services during the war, to date from March 13, 1865.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment by brevet in the Volunteer force, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December* 3, 1867.

WAR DEPARTMENT,
Washington, December 3, 1867.

SIR: I have the honor to propose for your approbation the following-named persons for appointment by brevet in the Volunteer force:

To be lieutenant-colonels by brevet.

Edward M. Payne, late major of the One hundred and sixth New York Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Theodore H. McCalla, late major of the Ninth Pennsylvania Volunteers, for gallant and meritorious services in the battles of the Army of the Potomac, to date from March 13, 1865.

Brevet Major Norman M. Smith, late captain of the Nineteenth Pennsylvania Cavalry, for distinguished gallantry in the battles of Anthony's Hill and Sugar Creek, Tenn., December 25 and 26th, 1864, to date from March 13, 1865.

Brevet Major John R. Breitenbach, late captain of the One hundred and sixth Pennsylvania Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Abner Hard, late surgeon of the Eighth Illinois Cavalry, for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet Major Henry H. Granger, late first lieutenant of the Tenth Massachusetts Light Artillery, for gallant and meritorious services, especially at the battle of Hatcher's Run, Va., October 27, 1864, where mortally wounded, to date from October 27, 1864.

Brevet Major James Thompson, late captain of Battery C, Independent Pennsylvania Light Artillery, for gallant and meritorious conduct at the battle of Antietam, Md., September 17, 1862, to date from March 13, 1865.

Brevet Major John B. Noyes, late captain of the Twenty-eighth Massachusetts Volunteers, for meritorious conduct while in command of his regiment before Petersburg, Va., in the engagements of June 16th and 20th, 1864, to date from March 13, 1865.

Brevet Major Rufus K. Case, late assistant quartermaster of Volunteers, for gallant and faithful and meritorious services during the war, to date from March 13, 1865.

Brevet Major R. C. Morgan, late assistant quartermaster of Volunteers, for faithful and meritorious services during the war, to date from March 13, 1865.

William McBurney, late major of the First Ohio Volunteer Cavalry, for gallant and meritorious services throughout the campaign in Alabama and Florida, to date from May 19, 1865.

George Blagden, late major of the Second Massachusetts Cavalry, for faithful and efficient services during the war, to date from March 13, 1865.

Brevet Major Harrison G. Otis, late captain of the Twenty-third Ohio Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Major James Riley Weaver, late second lieutenant of the Eighteenth Pennsylvania Cavalry, for faithful and meritorious services, to date from March 13, 1865.

Peter D. Vroom, jr., late major of the Second New Jersey Cavalry, for gallant and meritorious services during the war, to date from March 13th, 1865.

Brevet Major George V. Griggs, late captain Second New York Cavalry, for gallant and meritorious services at Culpepper, Virginia, September, 1863, to date from March 13, 1865.

Henry Norton, late major of the Sixth United States Volunteers, for distinguished gallantry at the battle of Malvern Hill, July 10, 1862, and meritorious services during the Peninsular campaign, Virginia, to date from May 5, 1865.

Brevet Major Amos Webster, late assistant quartermaster of Volunteers, for faithful and meritorious services, to date from April 9, 1865.

Brevet Major Orlando B. Griffith, late captain of the Eighty-second Pennsylvania Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Major John T. O'Brien, late captain of the Eighty-second Pennsylvania Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Major Lawrence Rhoades, late commissary of subsistence of Volunteers, for faithful and meritorious services during the war, to date from March 26, 1865.

Benjamin B. Foster, late major and assistant adjutant-general of Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Major William J. Handy, late captain of the Second Michigan Volunteers, for gallantry at the battle of Fair Oaks, Va., May 31, 1862, to date from March 13, 1865.

Brevet Major James McKeon, late captain of the Fifth New York Volunteers, for gallant and meritorious services in the battle on the Weldon Railroad, August, 1864, and Hatcher's Run, February, 1865, to date from March 13, 1865.

Brevet Major Azor S. Marvin, late captain and assistant adjutant-general of Volunteers, for gallant and meritorious services during the campaign of 1864, from the Rapidan to the Weldon Railroad, to date from March 13, 1865.

Brevet Major William A. Greene, late captain of the One hundred and seventy-third New York Volunteers, for gallant and meritorious conduct at the battles of Sabine Cross-Roads, Pleasant Hill, and Cane River Crossing, La., to date from March 13, 1865.

Brevet Major Nathaniel A. Conklin, late captain of the One hundred and seventy-third New York Volunteers, for gallant and meritorious conduct at the battles of Sabine Cross-Roads, Pleasant Hill, and Cane River Crossing, La., to date from March 13, 1865.

Brevet Major Jay DuBois, late captain of the Twenty-seventh Connecticut Volunteers, for gallant and meritorious services at the battle of Resaca, Ga., to date from March 13, 1865.

Brevet Major Fred. L. Atwood, late first lieutenant of Battery F, Pennsylvania Independent Artillery, for gallantry and good conduct at the battle of Mine Run, Va., to date from March 13, 1865.

Brevet Major George Ritchie, late first lieutenant of Battery F, Pennsylvania Independent Artillery, for gallantry and good conduct at the battle of Mine Run, Va., to date from March 13, 1865.

Brevet Major James G. Paine, late assistant quartermaster of Volunteers, for faithful and meritorious services in the Quartermaster's Department, to date from March 13, 1865.

Brevet Major Joseph T. Powers, late assistant quartermaster of Volunteers, for faithful and meritorious services in the Quartermaster's Department, to date from March 13, 1865.

William R. D. Blackwood, late surgeon of the Forty-eighth Pennsylvania Volunteers, for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet Major Howard C. Conrady, late captain of the One hundred and seventy-third New York Volunteers, for gallant and meritorious services at Bisland, Sabine Cross-Roads, Pleasant Hill, and Crane River Crossing, La., to date from March 13, 1865.

William H. Gunkle, late surgeon of the Seventy-third Pennsylvania Volunteers, for faithful and meritorious services during the war, to date from March 13, 1865.

Ambrose L. Cassidy, late major of the Ninety-third New York Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

John C. Broatch, late major of the Fourteenth Connecticut Volunteers, for gallant and meritorious services in the engagement at Morton's Ford, on the Rapidan, February 6, 1864, to date from March 13, 1865.

Brevet Major John L. Godfrey, late assistant quartermaster of Volunteers, for faithful and meritorious services in the Quartermaster's Department during the war, to date from March 13, 1865.

John M. Kollock, late surgeon of the Fiftieth Pennsylvania Volunteers, for faithful and meritorious services during the war, to date from March 13, 1865.

William A. Brown, late surgeon of the One hundred and seventy-sixth Ohio Volunteers, for faithful and meritorious services during the war, to date from March 13, 1865.

George H. Bardwell, late major of the One hundred and sixteenth Pennsylvania Volunteers, for gallant and distinguished services at the battle of Fredericksburg, Va., December 13, 1862, to date from March 13, 1865.

Brevet Major Joseph M. Brown, late assistant quartermaster of Volunteers, for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet Major Theodore McMurtrie, late captain of the Veteran Reserve Corps, for gallant and meritorious services during the war, to date from March 13, 1865.

Wells R. Marsh, late surgeon of the Second Iowa Volunteers, for faithful and meritorious services, to date from March 13, 1865.

Brevet Major Edmund B. Whitman, assistant quartermaster of Volunteers, for meritorious services in the Quartermaster's Department during the war, to date from March 13, 1865.

Brevet Major George H. Johnston, late captain and assistant adjutant-general of Volunteers for gallant conduct in the battle of White Oak Swamp and Malvern Hill, to date from March 13, 1865.

Brevet Major Sydney I. Wailes, late adjutant of the Purnell Legion, for gallant and meritorious services in the siege of Petersburg, Va., to date from March 13, 1865.

Brevet Major Edward D. Towne, late captain of the First Wisconsin Cavalry, for distinguished services during the war, to date from March 13, 1865.

Brevet Major John C. Chance, late first lieutenant of the Veteran Reserve Corps, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Major Percy B. Spear, late commissary of subsistence of Volunteers, for gallant and meritorious services in action at Groveton, Va., August 30, 1862, to date from July 18, 1865.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment by brevet in the Volunteer force, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December 3d*, 1867.

WAR DEPARTMENT,
Washington, ——— —, 1867.

SIR: I have the honor to propose for your approbation the following-named persons for appointment by brevet in the Volunteer force.

Brevet Colonel Robert Thompson, late lieutenant-colonel of the One hundred and fifteenth Pennsylvania Volunteers, for meritorious services during the rebellion, to date from March 13, 1865.

Norman J. Maxwell, late colonel of the One hundred and eighth Pennsylvania Volunteers, for gallant and meritorious services during the war, to date from April 18, 1865.

Brevet Colonel David B. White, late lieutenant-colonel of the Eighty-first New York Volunteers, for meritorious services during the war, to date from March 13, 1865.

Brevet Colonel R. C. Rutherford, late assistant quartermaster of Volunteers, for faithful and meritorious services in the Quartermaster's Department, to date from March 13, 1865.

John G. Hudson, late colonel of the Sixtieth Regiment United States Colored Troops, for distinguished gallantry at the battle of Helena, Arkansas, July 4, 1863, to date from March 13, 1865.

Lewis T. Barney, late colonel of the One hundred and sixth New York Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

John K. Kimball, late colonel of the Fifty-third Massachusetts Volunteers, for gallant and distinguished services in the field during the war, to date from March 13, 1865.

Turner G. Morehead, late colonel of the One hundred and sixth Pennsylvania Volunteers, for faithful and meritorious services, to date from March 13, 1865.

Madison Miller, late colonel of the Eighteenth Missouri Volunteers, for gallant services, to date from March 13, 1865.

Brevet Colonel Philip C. Hayes, late lieutenant-colonel of the One hundred and third Ohio Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Colonel Arthur R. Curtis, late lieutenant-colonel of the Twentieth Massachusetts Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Lafayette McCrellis, late colonel of the Third Illinois Cavalry, for gallant and meritorious conduct in the field during the rebellion, to date from September 4, 1864.

Dwight Jarvis, late colonel of the Thirteenth Ohio Volunteers, for gallant and meritorious services, to date from March 13, 1865.

Brevet Colonel Mellen T. Holbrook, late lieutenant-colonel of the One hundred and seventy-third New York Volunteers, for gallant and meritorious conduct at Cane River Crossing, La., to date from March 13, 1865.

Brevet Colonel Henry H. Bingham, late major and judge-advocate, for conspicuous gallantry and meritorious services during the war, to date from April 9, 1865.

John McConihe, late colonel of the One hundred and sixty-ninth New York Volunteers, for gallant and meritorious services in the battle of Cold Harbor, Va., to date from June 1, 1864.

Brevet Colonel Ambrose L. Cassidy, late major of the Ninety-third New York Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Henry S. Russell, late colonel of the Fifth Massachusetts Cavalry, for faithful and meritorious services during the war, and particularly for distinguished gallantry and good conduct at Baylor's Farm, before Petersburg, June 15, 1864, to date from March 13, 1865.

Madison Miller, late colonel of the Eighteenth Missouri Volunteers, for gallant and meritorious services in the battle of Shiloh, Tenn., to date from March 13, 1865.

Charles B. Stoughton, late colonel of the Fourth Vermont Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Colonel F. W. Swift, late lieutenant-colonel of the Seventeenth Michigan Volunteers, for gallant and meritorious conduct during the war, to date from March 13, 1865.

William H. Withington, late colonel of the Seventeenth Michigan Volunteers, for conspicuous gallantry at the battle of South Mountain, Md., to date from March 13, 1865.

Brevet Colonel Anthony J. Allaire, late lieutenant-colonel of the One hundred and thirty-third New York Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Colonel Daniel D. Wiley, late lieutenant-colonel and commissary of subsistence, for faithful and efficient services in the Subsistence Department, to date from March 13, 1865.

Brayton Ives, late colonel of the First Connecticut Cavalry, for gallantry at the battles of Ream's Station and Deep Bottom No. 1 (1864), and Fair Oaks and Sailor's Creek (1865), to date from March 13, 1865.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment by brevet in the Volunteer force, as proposed by the Secretary of War *ad interim*.

ANDREW JOHNSON.

WASHINGTON, *December* 3, 1867.

WAR DEPARTMENT,
Washington, Dec. 3, 1867.

SIR: I have the honor to propose for your approbation the following-named persons for appointment by brevet in the Volunteer force:

To be colonels by brevet.

Robert Thompson, late lieutenant-colonel of the One hundred and fifteenth Pennsylvania Volunteers, for meritorious services during the rebellion, to date from March 13, 1865.

Brevet Lieutenant-Colonel Edward M. Payne, late major of the One hundred and sixth New York Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Lieutenant-Colonel William A. Cutler, late major of the Thirty-seventh Regiment United States Colored Troops, for faithful and meritorious services during the war, to date from March 13, 1865.

David B. White, late lieutenant-colonel of the Eighty-first New York Volunteers, for meritorious services during the war, to date from March 13, 1865.

Brevet Lieutenant-Colonel John B. Noyes, late captain of the Twenty-eighth Massachusetts Volunteers, for meritorious conduct while in command of his regiment before Petersburg, Va., in the engagements of June 16th and 20th, 1864, to date from March 13, 1865.

Brevet Lieut. Colonel George Blagden, late major of the Second Massachusetts Cavalry, for faithful and efficient services during the war, to date from March 13, 1865.

P. Jones Yorke, late lieutenant-colonel of the Second New Jersey Cavalry, for distinguished gallantry in the attack upon and capture of the rebel stockade at Egypt, Mississippi, December 28, 1864, to date from March 13, 1865.

Brevet Lieutenant-Colonel Peter D. Vroom, jr., late major of the Second New Jersey Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Lieutenant-Colonel George V. Griggs, late captain of the Second New York Cavalry, for gallantry in penetrating the enemy's lines near Culpeper, Virginia, October 11, 1863, to date from March 13, 1865.

Philip C. Hayes, late lieutenant-colonel of the One hundred and third Ohio Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Lieutenant-Colonel S. R. Hamil, late assistant quartermaster of Volunteers, for faithful and meritorious services during the war, to date from February 8, 1867.

Brevet Lieutenant-Colonel Benjamin B. Foster, late major and assistant adjutant-general of Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Mellen T. Holbrook, late lieutenant-colonel of the One hundred and seventy-third New York Volunteers, for gallant and meritorious conduct in the battles of Port Hudson, and Pleasant Hill, La., to date from March 13, 1865.

Brevet Lieutenant-Colonel Henry H. Bingham, late major and judge-advocate, for conspicuous gallantry and meritorious services during the war, to date from April 9, 1865.

Brevet Lieutenant-Colonel Ambrose L. Cassidy, late major of the Ninety-third New York Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Lieutenant-Colonel John C. Broatch, late major of the Fourteenth Connecticut Volunteers, for gallant and meritorious services at the battle of Boydton Plank Road, near Petersburg, Va., October 27, 1864, to date from March 13, 1865.

Brevet Lieutenant-Colonel George H. Bardwell, late major of the One hundred and sixteenth Pennsylvania Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

William B. Wooster, late lieutenant-colonel of the Twentieth Connecticut Volunteers, for gallant conduct in command of his regiment at the battle of Chancellorsville, Va., May 3, 1863, to date from March 13, 1865.

Brevet Lieutenant-Colonel A. P. Ketchum, late captain of the One hundred and twenty-eighth Regiment United States Colored Troops, for gallant and meritorious services during the war, to date from March 13, 1865.

F. W. Swift, late lieutenant-colonel of the Seventeenth Michigan Volunteers, for gallant and meritorious conduct at the battle of Spottsylvania, Va., to date from March 13, 1865.

Anthony J. Allaire, late lieutenant-colonel of the One hundred and thirty-third New York Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Lieutenant-Colonel Wells R. Marsh, late surgeon of the Second Iowa Volunteers, for faithful and meritorious services, to date from March 13, 1865.

Brevet Lieutenant-Colonel Lawrence Rhoades, late commissary of subsistence of Volunteers, for faithful and meritorious services during the war, to date from March 28, 1865.

James Tucker, late lieutenant-colonel of the Twenty-fifth Massachusetts Volunteers, for gallant and meritorious conduct throughout the whole war, especially at Cold Harbor, June 3, 1864, to date from March 13, 1865.

Daniel D. Wiley, late lieutenant-colonel and commissary of subsistence of Volunteers, for faithful and efficient services in the Subsistence Department, to date from March 13, 1865.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the person named in the accompanying communication for appointment by brevet in the Volunteer force, as proposed by the Secretary of War *ad interim*.

ANDREW JOHNSON.

WASHINGTON, *December* 3, 1867.

WAR DEPARTMENT,
Washington, December 3, 1867.

SIR: I have the honor to propose for your approbation the following-named persons for appointment by brevet in the Volunteer force:

To be major-generals by brevet.

Brevet Brigadier-General John P. C. Shanks, late colonel of the Seventh Indiana Volunteers, for faithful and meritorious services during the war, to date from March 13, 1865.

S. K. Zook, late brigadier-general of Volunteers, for gallant and meritorious services at the battle of Gettysburg, Pa., where killed, to date from July 2, 1863.

Brevet Brigadier-General John Ely, late colonel of the Veteran Reserve Corps, for faithful and gallant conduct throughout the war, to date from April 15, 1865.

David A. Russell, late brigadier-general of Volunteers, for distinguished gallantry in the battle of Opequan, to date from September 19, 1867.

Horatio P. Van Cleve, late brigadier-general of Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Brigadier-General Lewis T. Barney, late colonel of the One hundred and sixth New York Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States :

I transmit a copy of a dispatch of the 17th of July last, addressed to the Secretary of State, and of the papers which accompanied it, from Anson Burlingame, esq., minister of the United States to China, relating to a proposed modification of the existing treaty between this Government and that of China.

The Senate is aware that the original treaty is chiefly *ex parte* in its character. The proposed modification, though not of sufficient importance to warrant all the usual forms, does not seem to be objectionable; but it cannot be legally accepted by the Executive Government without the advice and consent of the Senate. If this should be given it may be indicated by a resolution, upon the adoption of which the United States minister to China will be instructed to inform the Government of that country that the modification has been assented to.

ANDREW JOHNSON.

WASHINGTON, *December* 10, 1867.

The messages were read.

Ordered, That the nominations of Wm. J. Chandler and Wm. D. Foutz be referred to the Committee on Finance.

Ordered, That the nominations of John F. Flint and Edward A. Wright, J. C. Mathe, Gideon H. Hollister and others be referred to the Committee on Naval Affairs.

Ordered, That the nominations of Matthew R. Kintzing and others be referred to the Committee on Naval Affairs.

Ordered, That the nominations of Louis J. Schonbern and others, Ely S. Parker and others, Thomas M. McDougall and others, Tenedor Ten Eyck and others, David A. Russell and others, David A. Russell and others, David A. Russell and others, Henry W. Janes and others, S. M. Pollock and others, John R. Bailey and others, Edward D. Parker and others, Frederick De Peyster, Frederick De Peyster, Frank M. Kelly and others, Daniel M. Page and others, Elbert Hegeman and others, Edward M. Payne and others. Robert Thompson and others, Robert Thompson and others. and John P. G. Shanks and others be referred to the Committee on Military Affairs and the Militia, and printed in confidence for the use of the Senate.

The dispatch from Mr. Burlingame and the papers which accompanied it relating to a proposed modification of the existing treaty between this Government and that of China, were referred to the Committee on Foreign Relations and ordered to be printed in confidence for the use of the Senate.

Mr. Grimes, from the Committee on Naval Affairs, to whom were referred, the 4th instant, the nominations of William J. Squires and Israel H. Washburne, Adolph A. Hoehlinger and others, and Theodore P. Greene and others, reported favorably thereon.

Mr. Van Winkle submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Judiciary Committee report a proper mode of proceeding on the part of the Senate in cases of suspension under the second section of the tenure of office act, and whether the person suspended is entitled to demand or have a specification of the charges against him, and whether any and what opportunity should be afforded him to produce evidence on his part.

On motion by Mr. Buckalew,

Ordered, That the Secretary request the President of the United States to return to the Senate their resolution advising and consenting to the appointment of Jacob Carmony.

Mr. Buckalew submitted the following motion for consideration:

That the resolution of the Senate advising and consenting to the appointment of Jacob Carmony be reconsidered.

The Senate proceeded to consider the nominations of J. Warren Bell and Michael C. Duffley; and

Resolved, That the Senate do not advise and consent to the appointment of the said persons.

THURSDAY, DECEMBER 12, 1868.

The following messages were received from the President of the United States, by Mr. Johnson, his secretary:

To the Senate of the United States:

On the 12th of August last I suspendend Mr. Stanton from the exercise of the office of Secretary of War, and on the same day designated General Grant to act as Secretary of War *ad interim*.

The following are copies of the Executive orders:

"EXECUTIVE MANSION,
"*Washington, August* 12, 1867.

"SIR: By virtue of the power and authority vested in me as President by the Constitution and laws of the United States, you are hereby suspended from office as Secretary of War, and will cease to exercise any and all functions pertaining to the same.

"You will at once transfer to General Ulysses S. Grant, who has this day been authorized and empowered to act as Secretary of War *ad interim*, all records, books, and other property now in your custody and charge.

"The Hon. EDWIN M. STANTON,
"*Secretary of War.*"

"EXECUTIVE MANSION,
"*Washington, D. C., August* 12, 1867.

"SIR: The Hon. Edwin M. Stanton having been this day suspended as Secretary of War, you are hereby authorized and empowered to act

as Secretary of War *ad interim*, and will at once enter upon the discharge of the duties of the office.

"The Secretary of War has been instructed to transfer to you all the records, books, papers, and other public property now in his custody and charge.

"General ULYSSES S. GRANT,
"*Washington, D. C.*"

The following communication was received from Mr. Stanton:

"WAR DEPARTMENT,
"*Washington City, August* 12, 1867.

"SIR: Your note of this date has been received, informing me that by virtue of the powers and authority vested in you as President by the Constitution and laws of the United States, I am suspended from office as Secretary of War, and will cease to exercise any and all functions pertaining to the same, and also directing me at once to transfer to General Ulysses S. Grant, who has this day been authorized and empowered to act as Secretary of War *ad interim*, all records, books, papers, and other public property now in my custody and charge.

"Under a sense of public duty, I am compelled to deny your right under the Constitution and laws of the United States, without the advice and consent of the Senate, and without any legal cause, to suspend me from office as Secretary of War or the exercise of any or all functions pertaining to the same, or without such advice and consent to compel me to transfer to any person the records, books, papers, and public property in my custody as Secretary.

But, inasmuch as the general commanding the armies of the United States has been appointed *ad interim*, and has notified me that he has accepted the appointment, I have no alternative but to submit, under protest, to superior force.

To the PRESIDENT.

The suspension has not been revoked, and the business of the War Department is conducted by the Secretary *ad interim*.

Prior to the date of this suspension I had come to the conclusion that the time had arrived when it was proper Mr. Stanton should retire from my Cabinet. The mutual confidence and general accord which should exist in such a relation had ceased. I supposed that Mr. Stanton was well advised that his continuance in the Cabinet was contrary to my wishes, for I had repeatedly given him so to understand by every mode short of an express request that he should resign. Having waited full time for the voluntary action of Mr. Stanton, and seeing no manifestation on his part of an intention to resign, I addressed him the following note on the 5th of August:

"SIR: Public considerations of a high character constrain me to say that your resignation as Secretary of War will be accepted."

To this note I received the following reply:

"WAR DEPARTMENT,
"*Washington, August* 5, 1867.

"SIR: Your note of this day has been received, stating that public considerations of a high character constrain you to say that my resignation as Secretary of War will be accepted.

"In reply, I have the honor to say that public considerations of a high character, which alone have induced me to continue at the head of this Department, constrain me not to resign the office of Secretary of War before the next meeting of Congress."

This reply of Mr. Stanton was not merely a disinclination of compliance with the request for his resignation; it was a defiance, and something more. Mr. Stanton does not content himself with assuming that public considerations bearing upon his continuance in office form as fully a rule of action for himself as for the President, and that upon so delicate a question as the fitness of an officer for continuance in his office the officer is as competent and as impartial to decide as his superior who is responsible for his conduct; but he goes further, and plainly intimates what he means by "public considerations of a high character," and this is nothing else than his loss of confidence in his superior. He says that these public considerations have "alone induced me to continue at the head of this Department," and that they "constrain me not to resign the office of Secretary of War before the next meeting of Congress."

This language is very significant. Mr. Stanton holds the position unwillingly. He continues in office only under a sense of high public duty. He is ready to leave when it is safe to leave, and as the danger he apprehends from his removal then will not exist when Congress is here, he is constrained to remain during the interim. What, then, is that danger which can only be averted by the presence of Mr. Stanton or of Congress? Mr. Stanton does not say that "public considerations of a high character" constrain him to hold on to the office indefinitely. He does not say that no one other than himself can at any time be found to take his place and perform its duties. On the contrary, he expresses a desire to leave the office at the earliest moment consistent with these high public considerations. He says, in effect, that while Congress is away he must remain, but that when Congress is here, he can go. In other words, he has lost confidence in the President. He is unwilling to leave the War Department in his hands, or in the hands of any one the President may appoint or designate to perform its duties. If he resigns, the President may appoint a Secretary of War that Mr. Stanton does not approve. Therefore he will not resign. But when Congress is in session the President cannot appoint a Secretary of War which the Senate does not approve. Consequently, when Congress meets Mr. Stanton is ready to resign.

Whatever cogency these "considerations" may have had on Mr. Stanton, whatever right he may have had to entertain such considerations, whatever propriety there might be in the expression of them to others, one thing is certain, it was official misconduct, to say the least of it, to parade them before his superior officer.

Upon the receipt of this extraordinary note I only delayed the order of suspension long enough to make the necessary arrangements to fill the office. If this were the only cause for his suspension it would be ample. Necessarily it must end our most important official relations, for I cannot imagine a degree of effrontery which would embolden the head of a Department to take his seat at the council table in the Executive Mansion after such an act; nor can I imagine a President so forgetful of the proper respect and dignity which belong to his office as to submit to such intrusion. I will not do Mr. Stanton the wrong to suppose that he entertained any idea of offering to act as one of my constitutional advisers after that note was written. There was an interval of a week between that date and the order of suspension, during which

two Cabinet meetings were held. Mr. Stanton did not present himself at either; nor was he expected.

On the 12th of August Mr. Stanton was notified of his suspension, and that General Grant had been authorized to take charge of the Department. In his answer to this notification, of the same date, Mr. Stanton expresses himself as follows: "Under a sense of public duty I am compelled to deny your right under the Constitution and laws of the United States, without the advice and consent of the Senate, to suspend me from office as Secretary of War, or the exercise of any or all functions pertaining to the same; or, without such advice and consent, to compel me to transfer to any person the records, books, papers, and public property in my custody as Secretary. But inasmuch as the general commanding the armies of the United States has been appointed *ad interim*, and has notified me that he has accepted the appointment, I have no alternative but to submit, under protest, to superior force."

It will not escape attention that, in his note of August 5, Mr. Stanton stated that he had been constrained to continue in the office, even before he was requested to resign, by considerations of a high public character. In this note of August 12 a new and different sense of public duty compels him to deny the President's right to suspend him from office without the consent of the Senate. This last is the public duty of resisting an act contrary to law, and he charges the President with violation of the law in ordering his suspension.

Mr. Stanton refers generally to the Constitution and laws of the "United States," and says that a sense of public duty "under" these compels him to deny the right of the President to suspend him from office. As to his sense of duty under the Constitution, that will be considered in the sequel. As to his sense of duty under "the laws of the United States," he certainly cannot refer to the law which creates the War Department, for that expressly confers upon the President the unlimited right to remove the head of the Department. The only other law bearing upon the question is the tenure-of-office act, passed by Congress over the Presidential veto, March 2, 1867. This is the law which, under a sense of public duty, Mr. Stanton volunteers to defend.

There is no provision in this law which compels any officer coming within its provisions to remain in office. It forbids removals—not resignations. Mr. Stanton was perfectly free to resign at any moment, either upon his own motion or in compliance with a request or an order. It was a matter of choice or of taste. There was nothing compulsory in the nature of legal obligation. Nor does he put his action upon that imperative ground. He says he acts under a "sense of public duty," not of legal obligation, compelling him to hold on, and leaving him no choice. The public duty which is upon him arises from the respect which he owes to the Constitution and the laws, violated in his own case. He is, therefore, compelled by this sense of public duty to vindicate violated law and to stand as its champion.

This was not the first occasion in which Mr. Stanton, in discharge of a public duty, was called upon to consider the provisions of that law. That tenure-of-office law did not pass without notice. Like other acts, it was sent to the President for approval. As is my custom, I submitted its consideration to my Cabinet for their advice upon the question whether I should approve it or not. It was a grave question of constitutional law in which I would, of course, rely most upon the opinion of the Attorney-General and of Mr. Stanton, who had once been Attorney-General.

Every member of my Cabinet advised me that the proposed law was unconstitutional. All spoke without doubt or reservation, but Mr. Stanton's condemnation of the law was the most elaborate and emphatic. He referred to the constitutional provisions, the debates in Congress, especially to the speech of Mr. Buchanan when a Senator, to the decisions of the Supreme Court, and to the usage from the beginning of the Government through every successive administration, all concurring to establish the right of removal as vested by the Constitution in the President. To all these he added the weight of his own deliberate judgment, and advised me that it was my duty to defend the power of the President from usurpation and to veto the law.

I do not know when a sense of public duty is more imperative upon a head of Department than upon such an occasion as this. He acts then under the gravest obligations of law; for when he is called upon by the President for advice, it is the Constitution which speaks to him. All his other duties are left by the Constitution to be regulated by statute; but this duty was deemed so momentous that it is imposed by the Constitution itself.

After all this, I was not prepared for the ground taken by Mr. Stanton in his note of August 12th. I was not prepared to find him compelled by a new and indefinite sense of public duty, under "the Constitution," to assume the vindication of a law which, under the solemn obligations of public duty, imposed by the Constitution itself, he advised me was a violation of that Constitution. I make great allowance for a change of opinion, but such a change as this hardly falls within the limits of greatest indulgence.

Where our opinions take the shape of advice, and influence the action of others, the utmost stretch of charity will scarcely justify us in repudiating them when they come to be applied to ourselves.

But to proceed with the narrative. I was so much struck with the full master of the question manifested by Mr. Stanton, and was at the time so fully occupied with the preparation of another veto upon the pending reconstruction act, that I requested him to prepare the veto upon this tenure-of-office bill. This he declined on the ground of physical disability to undergo, at the time, the labor of writing, but stated his readiness to furnish what aid might be required in the preparation of materials for the paper.

At the time this subject was before the Cabinet it seemed to be taken for granted that as to those members of the Cabinet who had been appointed by Mr. Lincoln, their tenure of office was not fixed by the provisions of the act. I do not remember that the point was distinctly decided, but I well recollect that it was suggested by one member of the Cabinet who was appointed by Mr. Lincoln, and that no dissent was expressed.

Whether the point was well taken or not did not seem to me of any consequence, for the unanimous expression of opinion against the constitutionality and policy of the act was so decided that I felt no concern, so far as the act had reference to the gentlemen then present, that I would be embarrassed in the future. The bill had not then become a law. The limitation upon the power of removal was not yet imposed, and there was yet time to make any changes. If any one of these gentlemen had then said to me that he would avail himself of the provisions of that bill in case it became a law, I should not have hesitated a moment as to his removal. No pledge was then expressly given or required. But there are circumstances when to give an express pledge is not necessary, and when to require it is an imputation of possible

bad faith. I felt that if these gentlemen came within the purview of the bill it was, as to them, a dead letter, and that none of them would ever take refuge under its provisions.

I now pass to another subject. When, on the 15th of April, 1865, the duties of the Presidential office devolved upon me, I found a full Cabinet of seven members, all of them selected by Mr. Lincoln. I made no change; on the contrary, I shortly afterwards ratified a change determined upon by Mr. Lincoln, but not perfected at his death, and admitted his appointee, Mr. Harlan, in the place of Mr. Usher, who was in office at the time.

The great duty of the time was to re-establish government, law, and order in the insurrectionary States. Congress was then in recess, and the sudden overthrow of the rebellion required speedy action. This grave subject had engaged the attention of Mr. Lincoln in the last days of his life, and the plan according to which it was to be manged had been prepared, and was ready for adoption. A leading feature of that plan was that it should be carried out by the executive authority, for, so far as I have been informed, neither Mr. Lincoln nor any member of his Cabinet doubted his authority to act, or proposed to call an extra session of Congress to do the work. The first business transacted in Cabinet after I became President was this unfinished business of my predecessor. A plan or scheme of reconstruction was produced which had been prepared for Mr. Lincoln by Mr. Stanton, his Secretary of War. It was approved, and, at the earliest moment practicable was applied in the form of a proclamation to the State of North Carolina, and afterward became the basis of action in turn for the other States.

Upon the examination of Mr. Stanton before the impeachment committee he was asked the following question: "Did any one of the Cabinet express a doubt of the power of the Executive branch of the Government to reorganize State governments which had been in rebellion without the aid of Congress?" He answered, "None whatever." I had myself entertained no doubt of the authority of the President to take measures for the organization of the rebel States on the plan proposed during the vacation of Congress and agreed in the plan specified in the proclamation in the case of North Carolina.

There is perhaps no act of my administration for which I have been more denounced than this. It was not originated by me, but I shrink from no responsibility on that account, for the plan approved itself to my own judgment, and I did not hesitate to carry it into execution.

Thus far and upon this vital policy there was perfect accord between the Cabinet and myself, and I saw no necessity for a change. As time passed on there was developed an unfortunate difference of opinion and of policy between Congress and the President upon this same subject, and upon the ultimate basis upon which the reconstruction of these States should proceed, especially upon the question of negro suffrage. Upon this point three members of the Cabinet found themselves to be in sympathy with Congress. They remained only long enough to see that the difference of policy could not be reconciled. They felt that they should remain no longer, and a high sense of duty and propriety constrained them to resign their positions. We parted with mutual respect for the sincerity of each other in opposite opinions and mutual regret that the difference was on points so vital as to require a severance of official relations. This was in the summer of 1866. The subsequent sessions of Congress developed new complications when the suffrage bill for the District of Columbia and the reconstruction act of March 2 and March 23, 1867, all passed over the veto. It was in Cab-

inet consultations upon these bills that a difference of opinion upon the most vital points was developed. Upon these questions there was perfect accord between all the members of the Cabinet and myself, except Mr. Stanton. He stood alone, and the difference of opinion could not be reconciled. That unity of opinion which, upon great questions of public policy or administration, is so essential to the Executive, was gone.

I do not claim that a head of Department should have no other opinions than those of the President. He has the same right, in the conscientious discharge of duty, to entertain and express his own opinions as has the President. What I do claim is that the President is the responsible head of the administration, and when the opinions of a head of Department are irreconcilably opposed to those of the President in grave matters of policy and administration there is but one result which can solve the difficulty, and that is a severance of the official relation. This, in the past history of the Government, has always been the rule, and it is a wise one, for such differences of opinion among its members must impair the efficiency of any administration.

I have now referred to the general grounds upon which the withdrawal of Mr. Stanton from my administration seemed to me to be proper and necessary, but I cannot omit to state a special ground, which, if it stood alone, would vindicate my action.

The sanguinary riot which occurred in the city of New Orleans on the 30th of August, 1866, justly aroused public indignation and public inquiry, not only as to those who were engaged in it, but as to those who, more or less remotely, might be held to responsibility for its occurrence. I need not remind the Senate of the effort made to fix that responsibility on the President. The charge was openly made, and again and again reiterated all through the land that the President was warned in time, but refused to interfere.

By telegrams from the lieutenant-governor and attorney-general of Louisiana, dated the 27th and 28th of August, I was advised that a body of delegates claiming to be a constitutional convention, were about to assemble in New Orleans; that the matter was before the grand jury, but that it would be impossible to execute civil process without a riot, and this question was asked: "Is the military to interfere to prevent process of court?" This question was asked at a time when the civil courts were in the full exercise of their authority, and the answer sent by telegraph on the same 28th of August, was this: "The military will be expected to sustain and not to interfere with the proceedings of the courts."

On the same 28th of August the following telegram was sent to Mr. Stanton by Major-General Baird, then (owing to the absence of General Sheridan) in command of the military at New Orleans:

"Hon. EDWIN M. STANTON, *Secretary of War:*

"A convention has been called, with the sanction of Governor Wells, to meet here on Monday. The lieutenant-governor and city authorities think it unlawful, and propose to break it up by arresting the delegates. I have given no orders on the subject, but have warned the parties that I could not countenance or permit such action without instructions to that effect from the President. Please instruct me at once by telegraph."

The 28th of August was on Saturday. The next morning, the 29th, this dispatch was received by Mr. Stanton, at his residence in this city. He took no action upon it, and neither sent instructions to General

Baird himself, nor presented it to me for such instructions. On the next day (Monday) the riot occurred. I never saw this dispatch from General Baird until some ten days or two weeks after the riot, when, upon my call for all the dispatches, with a view to their publication, Mr. Stanton sent it to me.

These facts all appear in the testimony of Mr. Stanton before the Judiciary Committee in the impeachment investigation.

On the 30th, the day of the riot, and after it was suppressed, General Baird wrote to Mr. Stanton a long letter, from which I make the following extract:

"SIR: I have the honor to inform you that a very serious riot has occurred here to-day. I had not been applied to by the convention for protection, but the lieutenant-governor and the mayor had freely consulted with me, and I was so fully convinced that it was so strongly the intent of the city authorities to preserve the peace, in order to prevent military interference, that I did not regard an outbreak as a thing to be apprehended. The lieutenant-governor had assured me that, even if a writ of arrest was issued by the court, the sheriff would not attempt to serve it without my permission, and, for to-day, they designed to suspend it. I inclose herewith copies of my correspondence with the mayor, and of a dispatch which the lieutenant-governor claims to have received from the President. I regret that no reply to my dispatch to you of Saturday has yet reached me. General Sheridan is still absent in Texas."

The dispatch of General Baird, of the 28th, asks for immediate instructions, and his letter of the 30th, after detailing the terrible riot which had just happened, ends with the expression of regret that the instructions which he asked for were not sent. It is not the fault, or the error, or the omission of the President that this military commander was left without instructions; but for all omissions, for all errors, for all failures to instruct when instruction might have averted this calamity, the President was openly and persistently held responsible. Instantly, without waiting for proof, the delinquency of the President was heralded in every form of utterance. Mr. Stanton knew then that the President was not responsible for this delinquency. The exculpation was in his power, but it was not given by him to the public, and only to the President in obedience to a requisition for all the dispatches.

No one regrets more than myself that General Baird's request was not brought to my notice. It is clear, from his dispatch and letter, that if the Secretary of War had given him proper instructions the riot which arose on the assembling of the convention would have been averted.

There may be those ready to say that I would have given no instructions even if the dispatch had reached me in time, but all must admit that I ought to have had the opportunity.

The following is the testimony given by Mr. Stanton before the impeachment investigation committee as to this dispatch:

"Q. Referring to the dispatch of the 28th of July by General Baird, I ask you whether that dispatch on its receipt was communicated?

"A. I received that dispatch on Sunday forenoon; I examined it carefully, and considered the question presented; I did not see that I could give any instructions different from the line of action which General Baird proposed, and made no answer to the dispatch.

"Q. I see it stated that this was received at 10.20 p. m. Was that the hour at which it was received by you?

"A. That is the date of its reception in the telegraph office Saturday night; I received it on Sunday forenoon at my residence; a copy of the

dispatch was furnished to the President several days afterwards, along with all the other dispatches and communications on that subject. but it was not furnished by me before that time; I suppose it may have been ten or fifteen days afterwards.

"Q. The President himself being in correspondence with those parties upon the same subject, would it not have been proper to have advised him of the reception of that dispatch?

"A. I know nothing about his correspondence, and know nothing about any correspondence except this one dispatch. We had intelligence of the riot on Thursday morning. The riot had taken place on Monday."

It is a difficult matter to define all the relations which exist between the heads of Departments and the President. The legal relations are well enough defined. The Constitution places these officers in the relation of his advisers when he calls upon them for advice. The acts of Congress go further; take, for example, the act of 1789, creating the War Department. It provides that "there shall be a principal officer therein to be called the Secretary for the Department of War, who shall perform and execute such duties as shall from time to time be enjoined on, or intrusted to, him by the President of the United States; and furthermore, the said principal officer shall conduct the business of the said Department in such manner as the President of the United States shall, from time to time, order and instruct." Provision is also made for the appointment of an inferior officer by the head of the Department, to be called the chief clerk, "who, whenever said principal officer shall be removed from office by the President of the United States," shall have the charge and custody of the books, records, and papers of the Department.

The legal relation is analogous to that of principal and agent. It is the President upon whom the Constitution devolves, as head of the Executive Department, the duty to see that the laws are faithfully executed; but, as he cannot execute them in person, he is allowed to select his agents, and is made responsible for their acts within just limits. So complete is this presumed delegation of authority in the relation of a head of Department to the President, that the Supreme Court of the United States have decided that an order made by a head of Department is presumed to be made by the President himself.

The principal, upon whom such responsibility is placed for the acts of a subordinate, ought to be left as free as possible in the matter of selection and of dismissal. To hold him to responsibility for an officer beyond his control, to leave the question of the fitness of such an agent to be decided *for* him, and not *by* him, to allow such a subordinate, when the President, moved by "public considerations of a high character," requests his resignation, to assume for himself an equal right to act upon his own views of "public considerations," and to make his own conclusions paramount to those of the President—to allow all this is to reverse the just order of administration, and to place the subordinate above the superior.

There are, however, other relations between the President and a head of Department, beyond these defined legal relations, which necessarily attend them, though not expressed. Chief among these is mutual confidence. This relation is so delicate that it is sometimes hard to say when or how it ceases. A single flagrant act may end it at once, and then there is no difficulty. But confidence may be just as effectually destroyed by a series of causes too subtle for demonstration. As it is a plant of slow growth, so, too, it may be slow in decay. Such has been

the process here. I will not pretend to say what acts or omissions have broken up this relation. They are hardly susceptible of statement, and still less of formal proof. Nevertheless, no one can read the correspondence of the 5th of August without being convinced that this relation was effectually gone on both sides, and that while the President was unwilling to allow Mr. Stanton to remain in his administration, Mr. Stanton was equally unwilling to allow the President to carry on his administration without his presence.

In the great debate which took place in the House of Representatives in 1879, in the first organization of the principal Departments, Mr. Madison spoke as follows:

"It is evidently the intention of the Constitution that the first magistrate should be responsible for the Executive Department. So far, therefore, as we do not make the officers who are to aid him in the duties of that Department responsible to him, he is not responsible to the country. Again, is there no danger that an officer, when he is appointed by the concurrence of the Senate, and has friends in that body, may choose rather to risk his establishment on the favor of that branch than rest it upon the discharge of his duties to the satisfaction of the executive branch, which is constitutionally authorized to inspect and control his conduct? And if it should happen that the officers connect themselves with the Senate they may mutually support each other, and for want of efficacy reduce the power of the President to a mere vapor, in which case his responsibility would be annihilated, and the expectation of it is unjust. The high executive officers, joined in cabal with the Senate, would lay the foundation of discord, and end in an assumption of the executive power only to be removed by a revolution in the Government.

Mr. Sedgwick, in the same debate, referring to the proposition that a head of Department should only be removed or suspended by the concurrence of the Senate, used this language:

"But if proof be necessary, what is then the consequence? Why, in nine cases out of ten, where the case is very clear to the mind of the President that the man ought to be removed, the effect cannot be produced, because it is absolutely impossible to produce the necessary evidence. Are the Senate to proceed without evidence? Some gentlemen contend not. Then the object will be lost. Shall a man, under these circumstances, be saddled upon the President who has been appointed for no other purpose but to aid the President in performing certain duties? Shall he be continued, I ask again, against the will of the President? If he is, where is the responsibility? Are you to look for it in the President, who has no control over the officers, no power to remove him if he acts unfeelingly or unfaithfully? Without you make him responsible you weaken and destroy the strength and beauty of your system. What is to be done in cases which can only be known from a long acquaintance with the conduct of an officer?"

I had indulged the hope that upon the assembling of Congress Mr. Stanton would have ended this unpleasant complication according to his intimation given in his note of August 12. The duty which I have felt myself called upon to perform was by no means agreeable, but I feel that I am not responsible for the controversy or for the consequences.

Unpleasant as this necessary change in my Cabinet has been to me upon personal considerations, I have the consolation to be assured that, so far as the public interests are involved, there is no cause for regret.

Salutary reforms have been introduced by the Secretary *ad interim*, and great reductions of expenses have been effected under his administration of the War Department, to the saving of millions to the Treasury.

ANDREW JOHNSON.

WASHINGTON, *December* 12, 1867.

To the Senate of the United States:

In compliance with the reqnest of the Senate of the 11th instant, I return herewith their resolution of December 9 advising and consenting to the appointment of Jacob Carmany to be assessor of internal revenue for the tenth district of Pennsylvania.

ANDREW JOHNSON.

WASHINGTON, *December* 12, 1867.

The messages were read.

Ordered, That the message relative to the suspension of Edwin M. Stanton from the performance of the duties of the office of Secretary of War be referred to the Committee on Military Affairs and the Militia and printed in confidence for the nse of the Senate.

Mr. Williams, from the Committee on Finance, to whom was referred, the 4th instant, the nomination of Noah L. Jeffries, reported favorably thereon.

Mr. Henderson, from the Committee on Finance, to whom was referred, 4th instant, the nominations of Lemuel D. Evans and Edward Cooper, reported adversely thereon.

Mr. Henderson, from the Committee on Finance, to whom was referred, the 11th instant, the nomination of William J. Chandler, reported favorably thereon.

FRIDAY, DECEMBER 13, 1867.

Mr. Frelinghuysen, from the Committee on the Jndiciary, who were instructed by the resolution of the Senate of the 11th instant to report a proper mode of proceeding in cases of snspension under the second section of the tenure of office act, submitted the following report:

The Committee on the Judiciary, to whom was referred a resolution "that they report a proper mode of proceeding in cases of suspension under the second section of the tenure of office act, and whether the person suspended is entitled to demand or have a specification of the charges against him, and whether any, and what opportunity should be offered him to produce evidence on his part," having had the same under consideration, respectfully report:

First. That the President and Senate may, as heretofore, remove any officer by the nomination and confirmation of a successor.

Second. That the Senate may, as heretofore, consent to the removal of any officer who may have been suspended from office by the President during the recess of the Senate by confirming a successor, and this without approving or disapproving the causes of his suspension.

Third. That when an officer is suspended by the President during the recess of the Senate the matter may be examined by the appropriate committee according to their discretion, as in cases of other nominations, and if the committee to whom the matter of snspension is referred concur in such suspension they should report to the Senate a resolution that the Secretary of the Senate so notify the President, and if they do not concnr in snch suspension they should report a resolution accordingly.

On motion by Mr. Cameron,

The Senate proceeded to consider the motion submitted by Mr. Buckalew on the 11th instant, that the resolution that the Senate advise and consent to the appointment of Jacob Carmony be reconsidered.

On the question being taken,

It was determined in the negative.

So the Senate refused to reconsider its resolution.

The Senate proceeded to consider the nominations of Wm. J. Squires, Israel H. Washburn, Adolph A. Hockling, William S. Bowen, Adam Frank, Alfred Griffith, Theodore P. Greene, Egbert Thompson, Francis H. Baker, Austin Pendergrast, and William J. Chandler; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate, by unanimous consent, proceeded to consider the nominations of Joseph Foster and Edward N. Whitehouse; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

On motion by Mr. Tipton,

Ordered, That the Secretary request the President of the United States to return to the Senate the resolution that the Senate do not advise and consent to the appointment of J. Warren Bell.

Mr. Tipton submitted the following resolution for consideration:

That the resolution that the Senate do not advise and consent to the appointment of J. Warren Bell be reconsidered.

Mr. Grimes, from the Committee on Naval Affairs, to whom were referred, the 4th instant, the nominations of Joseph Foster and Edward N. Whitehouse, reported favorably thereon.

Whereupon

Resolved, That the Senate advise and consent to the appointment of said persons, agreeably to their nominations respectively.

On motion by Mr. Conness that the injunction of secrecy be removed from the message of the President of the United States relating to the suspension from office of Edwin M. Stanton,

After debate,

The Senate adjourned.

MONDAY, DECEMBER 16, 1867.

The following messages were received from the President of the United States, by Mr. Johnson, his secretary:

To the Senate of the United States:

I nominate E. J. Morgan to be surveyor of customs for the port of Selma, in the State of Alabama, in place of William Q. Smith, who was confirmed February 25, 1867, but has failed to qualify according to law.

ANDREW JOHNSON.

WASHINGTON, D. C., *Dec.* 16, 1867.

To the Senate of the United States:

I nominate Joseph H. Thompson, of Tennessee, to be consul of the United States at St. Thomas, W. I., vice John C. Walker, resigned.

ANDREW JOHNSON.

WASHINGTON, 16 *December*, 1867.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December 3rd*, 1867.

WAR DEPARTMENT,
Washington, December 3d, 1867.

SIR: I have the honor to propose for your approbation the following-named persons for appointment in the Army of the United States, they having passed the examination required by law:

PAY DEPARTMENT.

To be paymasters.

Robert Morrow, late major and assistant adjutant-general of Volunteers, May 9, 1867, vice Adams, resigned.

Captain Asa B. Carey, of the Thirteenth Regiment United States Infantry, October 5, 1867, vice Simpson, deceased.

William P. Gould, late additional paymaster of Volunteers, October 18, 1867, vice Stewart, deceased.

Isaac S. Stewart, late additional paymaster of Volunteers, October 18, 1867, vice Francis, retired.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the person named in the accompanying communication for appointment as commissioner under the act approved March 29, 1867, as proposed by the Secretary of War ad interim.

ANDREW JOHNSON.

WASHINGTON, *December 3d*, 1867.

WAR DEPARTMENT,
Washington, December 3d, 1867.

SIR: I have the honor to propose for your approbation the name of James Dunn, of New York, for appointment as commissioner under the act approved March 29, 1867, to reimburse the State of Ohio for moneys expended for the United States in enrolling, equipping, and provisioning militia to aid in suppressing the rebellion.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate Alexander K. Lowrey, of California, to be register of the land office at Marysville, California, vice Michael C. Dufficy, rejected.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 16, 1867.

To the Senate of the United States:

I nominate James L. Robbins to be deputy postmaster at Penn Yan, in the county of Yates and State of New York, in place of S. H. Welles, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 14, 1867.

To the Senate of the United States:

I nominate James F. Swain to be deputy postmaster at Benicia, in the county of Solano and State of California, in place of A. L. Stiles, removed for cause.

ANDREW JOHNSON.

WASHINGTON, D. C., *Dec'r* 14, 1867.

To the Senate of the United States:

I nominate J. Guy Foreman to be deputy postmaster at Corry, in the county of Erie and State of Pennsylvania, in place of James Foreman, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *Dec.* 14, 1867.

To the Senate of the United States:

I nominate William C. Honser to be deputy postmaster at Mechanicsburg, in the county of Cumberland and State of Penna., in place of Robert Wilson.

ANDREW JOHNSON.

WASHINGTON, D. C., *Dec.* 14, 1867.

To the Senate of the United States:

I nominate Daniel Burnman to be deputy postmaster at Milton, in the county of Northumberland and State of Penna., to fill vacancy occasioned by rejection of C. B. Davis.

ANDREW JOHNSON.

WASHINGTON, D. C., *Dec.* 16, 1867.

To the Senate of the United States:

I nominate Isaac L. Gibbs, of the Territory of Idaho, to be governor of the said Territory, in place of David W. Ballard, removed.

ANDREW JOHNSON.

WASHINGTON, *December* 16, 1867.

To the Senate of the United States:

In compliance with the request of the Senate of the 13th instant, I return herewith their resolution of December 11, rejecting the nomination of J. Warren Bell to be collector of customs for the district of Brazos de Santiago.

ANDREW JOHNSON.

WASHINGTON, *December* 14, 1867.

To the Senate of the United States:

I withdraw the nomination of Daniel Dennett to be collector of customs for the district of Teche, in the State of Louisiana, submitted to the Senate on the 6th instant.

ANDREW JOHNSON.

WASHINGTON, *December* 16, 1867.

To the Senate of the United States:

I transmit herewith a communication from the Secretary of the Treasury, in reference to the suspension of John H. Anderson from the office of collector of internal revenue for the fourth district of Virginia, together with the evidence and reasons for my action in the case. William E. Wells has been designated to perform temporarily the duties of the office.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 16, 1867.

To the Senate of the United States:

I transmit herewith a communication from the Secretary of the Treasury, in reference to the suspension of John H. Patterson from the office of assessor of internal revenue for the fourth district of Virginia, together with the evidence and reasons for my action in the case. The duties of the office have been devolved upon the assistant assessor, no person having been designated temporarily to perform them.

ANDREW JOHNSON.

WASHINGTON, *December* 16, 1867.

The messages were read.

Ordered, That the nominations of E. J. Morgan and Joseph H. Thompson be referred to the Committee on Commerce.

Ordered, That the nominations of Robert Morrow and others and James Dunn be referred to the Committee on Military Affairs and the Militia.

Ordered, That the nomination of Alexander K. Lowrey be referred to the Committee on Public Lands.

Ordered, That the nominations of James L. Robbins, J. Guy Foreman, William C. Houser, and Daniel Burnman be referred to the Committee on Post-Offices and Post-Roads.

Ordered, That the nomination of Isaac L. Gibbs be referred to the Committee on Territories.

Ordered, That the communication from the Secretary of the Treasury, with accompanying papers, relative to the suspension of John H. Patterson, assessor of internal revenue for the 4th district of Virginia, be referred to the Committee on Finance.

Ordered, That the communication from the Secretary of the Treasury, with accompanying papers, relative to the suspension of John H. Anderson, collector of internal revenue for the 4th district of Virginia, be referred to the Committee on Finance.

On motion by Mr. Conness,

The Senate proceeded, by unanimous consent, to consider the nomination of James F. Swain; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Williams submitted the following resolution, which was considered by unanimous consent and agreed to;

Resolved, That the President of the United States be requested to furnish the Senate the petitions of citizens of Idaho, filed with him, remonstrating against the removal of Governor Ballard.

The Senate proceeded to consider the motion, submitted by Mr. Tipton the 13th instant, that the resolution that the Senate do not advise and consent to the appointment of J. Warren Bell be reconsidered; and on the question to agree to said motion,

It was determined in the negative.

So the said resolution was not reconsidered.

On motion by Mr. Conkling,

Ordered, That the report of the Committee on the Judiciary, relative to a proper mode of proceeding under the second section of the tenure-of-office act, submitted the 13 December last, be printed in confidence for the use of the Senate.

TUESDAY, DECEMBER 17, 1867.

The following messages were received from the President of the United States, by Mr. Johnson, his secretary:

To the Senate of the United States:

I nominate Oliver B. Bradford, of Pennsylvania, now consular clerk at Shanghai, to be consul of the United States at Brunai, Borneo, in the place of Charles L. Moses, resigned.

ANDREW JOHNSON.

WASHINGTON, *December* —, 1867.

To the Senate of the United States:

I nominate Edwin Higgins, of Michigan, to be secretary of the Territory of Utah, vice Amos Reed, resigned.

ANDREW JOHNSON.

WASHINGTON, *December* 17, 1867.

To the Senate of the United States:

I nominate Owen Thorn to be a member of the levy court of the District of Columbia, to fill the vacancy occasioned by the expiration of the term of office of De Vere Burr.

ANDREW JOHNSON.

WASHINGTON, *December* 17, 1867.

To the Senate of the United States:

I nominate C. H. Nichols and George H. Plant to be members of the levy court of the District of Columbia, to fill the vacancy occasioned by the expiration of their respective terms of office.

ANDREW JOHNSON.

WASHINGTON, *December* 17, 1867.

To the Senate of the United States:

I herewith transmit to the Senate a communication from the Secretary of State, dated December 9th instant, with the accompanying papers, the same being a statement of the suspension of Charles Lee Moses, from the duties of consul at Brunai, Borneo, with the evidence and reasons for my action in the case.

ANDREW JOHNSON.

WASHINGTON, D. C., *December 17th*, 1867.

The messages were read.

Ordered, That the nomination of Oliver B. Bradford be referred to the Committee on Commerce.

Ordered, That the nomination of Edwin Higgins be referred to the Committee on Territories.

Ordered, That the nominations of Owen Thorn and C. H. Nichols and George H. Plant be referred to the Committee on the District of Columbia.

Ordered, That the papers relative to the suspension from office of C. L. Moses be referred to the Committee on Commerce.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 16th instant, the nomination of James L. Robbins, reported adversely thereon.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 16th instant, the nomination of J. Guy Foreman, reported favorably thereon.

Mr. Sumner, from the Committee on Foreign Relations, reported papers relating to the reciprocity treaty lately negotiated between the Government of the United States and the Hawaiian Islands, and moved that they be printed in confidence for the use of the Senate; and the motion was agreed to.

Mr. Sumner, from the Committee on Foreign Relations, to whom were referred, the 11th instant, "a dispatch of the 17th of July last, addressed to the Secretary of State, and the papers which accompanied it, from Anson Burlingame, esq., the minister of the United States to China, relating to a proposed modification of the existing treaty between this Government and that of China," reported the following resolution:

Resolved (two-thirds of the Senators present concurring), That the Senate do advise and consent to the modification of the treaty between the United States and China, concluded at Tientsin on the 18th of June, 1858, so that the XIXth article shall be understood to include hulks and store-ships of every kind under the term merchant vessels; and so that it shall provide that if the supercargo, master, or consignee shall neglect, within forty-eight hours after a vessel casts anchor in either of the ports named in the treaty, to deposit the ship's papers in the hands of the consul or person charged with his functions, who shall then comply with the requisitions of the XIXth article of the treaty in question, he shall be liable to a fine of fifty taels for each day's delay. The total amount of penalty, however, shall not exceed two hundred taels.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 9th instant, the treaty between the United States of America and the Queen of Madagascar, signed at Antananarivo, the 14th February, 1867, reported the same without amendment.

Mr. Williams, from the Committee on Public Lands, to whom was referred, the 16th instant, the nomination of Alexander H. Lowrey, reported the same adversely.

Mr. Chandler, from the Committee on Commerce, to whom was referred, the 4th instant, the nomination of Wm. J. Clark, reported the same adversely.

Mr. Chandler, from the Committee on Commerce. to whom were referred, the 4th instant, the nomination of Oscar Minor, and the 11th instant that of Gideon H. Hollister, reported the same favorably.

FRIDAY, DECEMBER 20, 1867.

The following messages were received from the President of the United States, by Mr. Johnson, his secretary:

To the Senate of the United States:

I nominate First Lieutenant Charles A. Stillman to be a captain in the Marine Corps, vice Captain John A. Burroughs, deceased; and

Second Lieutenant Frank D. Webster to be a first lieutenant in the Marine Corps, vice First Lieut. Chas. A. Stillman, nominated for promotion.

ANDREW JOHNSON.

WASHINGTON CITY, 17 *December*, 1867.

To the Senate of the United States:

I nominate Henry Biehn to be deputy postmaster at Ripley, in the county of Brown and State of Ohio, the office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 18, 1867.

To the Senate of the United States:

I nominate Thomas N. Lee to be deputy postmaster at Hancock, in the county of Houghton and State of Michigan, in place of Charles Hembeck, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 18, 1867.

To the Senate of the United States:

I nominate R. H. P. Farrall to be deputy postmaster at Chico, in the county of Butte and State of California, in place of Thomas J. Bidwell, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *Dec'r* 18, 1867.

To the Senate of the United States:

I nominate F. T. Sherman to be deputy postmaster at Chicago, in the county of Cook and State of Illinois, in place of Robert A. Gilmore, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 18, 1867.

To the Senate of the United States:

I nominate William A. Trower to be deputy postmaster at Shelbyville, in the county of Shelby and State of Illinois, in place of Joseph N. Lewis.

ANDREW JOHNSON.

WASHINGTON, D. C., *Dec.* 18, 1867.

To the Senate of the United States:

I nominate David K. Noyes to be deputy postmaster at Baraboo, in the county of Sauk and State of Wisconsin, in place of Samuel Hartley, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *Dec'r* 18, 1867.

To the Senate of the United States:

I nominate George W. Tabler to be deputy postmaster at Martinsburg, in the county of Berkeley and State of W. Va., in place of Peter Tabler.

ANDREW JOHNSON.

WASHINGTON, D. C., *Dec.* 18, 1867.

To the Senate of the United States:

I nominate David H. Johnson to be deputy postmaster at Griffin, in the county of Spaulding and State of Ga.; office become Presidential.

ANDREW JOHNSON.

WASHINGTON, D. C., *Dec.* 18, 1867.

To the Senate of the United States:

I nominate Henry V. Colt to be deputy postmaster at Geneseo, in the county of Livingston and State of New York, in place of Manson Lapham, removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *Dec.* 18, 1867.

To the Senate of the United States:

I nominate Alfred Buckhart to be deputy postmaster at Sing Sing, in the county of Westchester and State of New York, in place of Reuben Quimby, removed.

ANDREW JOHNSON.

WASHINGTON, D. C., 13 *December*, 1867.

To the Senate of the United States:

I nominate Alden Raymond to be deputy postmaster at South Norwalk, in the county of Fairfield and State of Connecticut, in place of Matthew Wilcox, removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *Dec.* 18, 1867.

To the Senate of the United States:

I nominate John C. Cartwright to be United States attorney for the district of Oregon, in the place of Richard Williams, resigned.

ANDREW JOHNSON.

EXECUTIVE MANSION, *December* 19, 1867.

To the Senate of the United States:

I nominate Ethan Allen to be collector of customs for the district of Teche, in the State of Louisiana, to fill a vacancy existing since the close of the war.

ANDREW JOHNSON.

WASHINGTON, D. C., *Dec.* 17, 1867.

To the Senate of the United States:

I nominate Daniel McKenna to be deputy postmaster at Kenton, in the county of Hardin and State of Ohio, in place of Augustus Treager, removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 19, 1867.

To the Senate of the United States:

I nominate Alger M. Wheeler to be deputy postmaster at Danville, in the county of Pittsylvania and State of Va., in place of John B. Lowry, suspended.

ANDREW JOHNSON.

WASHINGTON, D. C., *Dec.* 18, 1867.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *Dec'r* 17, 1867.

WAR DEPARTMENT,
Washington, December 17th, 1867.

SIR: I have the honor to propose for your approbation the following-named persons for appointment in the Army of the United States, they having passed the examination required by law:

First Sergeant James Calhoun, of Company D, Twenty-third Regiment United States Infantry, to be second lieutenant in the Thirty-second Regiment United States Infantry, July 31, 1867, vice Shepherd, the regimental quartermaster.

Frank M. Gibson, clerk in the Paymaster-General's office, to be second lieutenant in the Seventh Regiment United States Cavalry, October 5, 1867, vice Leavy, appointed first lieutenant.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December* 18, 1867.

WAR DEPARTMENT,
Washington, December 18, 1867.

SIR: I have the honor to propose for your approbation the following-named persons for appointment in the Army of the United States, they having passed the examination required by law:

Charles L. Hudson, late first lieutenant of the Seventy-second Ohio Volunteers, to be second lieutenant in the Fifteenth Regiment United States Infantry, November 19, 1867, vice Du Bois, promoted.

Oliver W. Longan, late sergeant major of the Thirteenth Pennsylvania Cavalry, to be second lieutenant in the Seventh Regiment United States Cavalry, November 20, 1867, vice Johnson, promoted.

William M. Baudy, late captain of the Thirty-seventh Illinois Volunteers, to be second lieutenant in the Twenty-eighth Regiment United States Infantry, August 29, 1867, vice De Motte, promoted.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December 18th*, 1867.

WAR DEPARTMENT,
Washington, December 18th, 1867.

SIR: I have the honor to propose for your approbation the following-named persons for appointment in the Army of the United States:

Medical Department.

G. H. T. Ferdinand Axt, of New York, to be assistant surgeon, October 9, 1867, vice Silliman, retired.

Peter Moffatt, of California, to be assistant surgeon, October 9, 1867, vice Schenck, resigned.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the officers named in the accompanying communication for appointment by brevet in the Army of the United States, as proposed by the Secretary of War *ad interim*.

ANDREW JOHNSON.

WASHINGTON, *December* 18, 1867.

WAR DEPARTMENT,
Washington, December 18th, 1867.

SIR: I have the honor to propose for your approbation the following-named officers for appointment by brevet in the Army of the United States:

To be first lieutenants by breret.

Second Lieutenant Charles Bird, of the Twenty-third Regiment United States Infantry, for gallant and meritorious services in the battle of Fredericksburg, Va., to date from March 2, 1867.

Second Lieutenant Augustus F. Higgs, of the Sixteenth Regiment United States Infantry, for gallant and meritorious services in the siege of Vicksburg, Miss., to date from June 18, 1867.

Second Lieutenant Simon C. Vedder, of the Twenty-eighth Regiment United States Infantry, for gallant and meritorious services in the battle of Gaines' Mill, Va., to date from March 7, 1867.

Second Lieutenant F. H. Hathaway, of the Forty-first Regiment United States Infantry, for gallant and meritorious services in the battle of Fair Oaks, Va., October 27, 1864, to date from March 7, 1867.

Second Lieutenant John S. McEwan, of the Fourth Regiment United States Artillery, for gallant and meritorious services in the battle of Spottsylvania, Va., to date from August 17, 1867.

Second Lieutenant Henry Norton, of the Seventeenth Regiment United States Infantry, for gallant and meritorious services in the battle of Malvern Hill, Va., to date from March 2, 1867.

Second Lieutenant Algernon E. Smith, of the Seventh Regiment United States Cavalry, for gallant and meritorious services in the battle of Drury's Farm, to date from August 9, 1867.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the officers named in the accompanying communication for appointment by brevet in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December* 18*th*, 1867.

WAR DEPARTMENT,
Washington, December 18, 1867.

SIR: I have the honor to propose for your approbation the following-named officers for appointment by brevet in the Army of the United States:

To be captains by brevet.

First Lieutenant Joseph H. Hayes, of the Thirtieth Regiment United States Infantry, for gallant and meritorious services in the battle of Drury's Farm, to date from March 2, 1867.

Brevet First Lieutenant Charles Bird, second lieutenant in the Twenty-third Regiment United States Infantry, for gallant and meritorious services in the battle of Fredericksburg, Va., to date from March 2, 1867.

Brevet First Lieutenant F. H. Hathaway, second lieutenant in the Forty-first Regiment United States Infantry, for gallant and meritorious services in the battle of Newmarket, Va., to date from March 7, 1867.

First Lieutenant George W. Gile, of the Forty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Bull Run (2d), Va., to date from March 2, 1867.

Brevet First Lieutenant John S. McEwan, second lieutenant in the Fourth Regiment United States Artillery, for gallant and meritorious services in the battle of Cold Harbor, Va., to date from August 17, 1867.

Brevet First Lieutenant Henry Norton, second lieutenant in the Seventeenth Regiment United States Infantry, for gallant and meritorious services in the battle of 2d Bull Run, Va., to date from March 2, 1867.

Brevet First Lieutenant Algernon E. Smith, second lieutenant in the Seventh Regiment United States Cavalry, for gallant and meritorious services in the capture of Fort Fisher, N. C., to date from August 9, 1867.

First Lieutenant Thomas H. Hay, of the Forty-second Regiment United States Infantry, for gallant and meritorious services in the battle of Chancellorsville, Va., to date from March 2, 1867.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the officers named in the accompanying communication for appointment by brevet in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December* 18*th*, 1867.

WAR DEPARTMENT,
Washington, Dec. 18, 1867.

SIR: I have the honor to propose for your approbation the following-named officers for appointment by brevet in the Army of the United States:

To be majors by brevet.

Brevet Captain Charles Bird, second lieutenant in the Twenty-third Regiment United States Infantry, for gallant and meritorious services in the battle of Spottsylvania, Va., to date from March 2, 1867.

Brevet Captain George W. Gile, first lieutenant in the Forty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of South Mountain, Md., to date from March 2, 1867.

Captain Daniel W. Burke, of the Forty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from January 22, 1867.

Brevet Captain Thomas H. Hay, first lieutenant in the Forty-second Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 2, 1867.

Captain Samuel B. M. Young, of the Eighth Regiment United States Cavalry, for gallant and meritorious services in action at Sulphur Springs, Virginia, to date from March 2, 1867.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the officers named in the accompanying communication for appointment by brevet in the Army of the United States, as proposd by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *Dec.* 18, 1867.

WAR DEPARTMENT,
Washington, December 18, 1867.

SIR: I have the honor to propose for your approbation the following-named officers for appointment by brevet in the Army of the United States:

To be lieutenant-colonels by brevet.

Brevet Major Charles Bird, second lieutenant in the Twenty-third Regiment United States Infantry, for gallant and meritorious services in the battle of Petersburgh, Va., June 20, 1864, to date from March 2, 1867.

Brevet Major George W. Gile, first lieutenant in the Forty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Antietam, Md., to date from March 2, 1867.

Brevet Major Samuel B. M. Young, captain in the Eighth Regiment United States Cavalry, for gallant and meritorious services in action at Amelia Springs, Va., to date from March 2, 1867.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the officers named in the accompanying communication for appointment by brevet in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December* 18*th*, 1867.

WAR DEPARTMENT,
Washington, December 18*th*, 1867.

SIR: I have the honor to propose for your approbation the following-named officers for appointment by brevet in the Army of the United States:

To be colonels by brevet.

Brevet Lieutenant-Colonel John M. Wilson, major in the Corps of Engineers, for gallant and meritorious services at Spanish Fort and Fort Blakely, Ala., to date from April 8, 1865.

Brevet Lieutenant-Colonel Samuel B. M. Young, captain in the Eighth Regiment United States Cavalry, for gallant and meritorious services in the battle of Sailor's Creek, Va., to date from March 2, 1867.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment by brevet in the Volunteer force, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December* 18*th*, 1867.

WAR DEPARTMENT,
Washington, December 18*th*, 1867.

SIR: I have the honor to propose for your approbation the following-named persons for appointment by brevet in the Volunteer force:

To be captains by brevet.

Richard B. Foster, late first lieutenant of the Sixty-second Regiment United States Colored Troops, for gallant and meritorious services in action at Palmetto Ranch, to date from March 13, 1865.

First Lieutenant George S. Hawley, of the Veteran Reserve Corps, for gallant and meritorious services at the battle of the Mine, Va., to date from March 13, 1865.

John S. Summersides, late first lieutenant of the Fifteenth Maine Volunteers, for gallant and meritorions services in the battle of the Wilderness, Va., to date from March 13, 1865.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment by brevet in the Volunteer force, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WAR DEPARTMENT,
Washington, December 18, 1867.

SIR: I have the honor to propose for your approbation the following-named persons for appointment by brevet in the Volunteer force:

To be majors by brevet.

William W. Bell, late captain of the Thirteenth Illinois Cavalry, for gallant and meritorious services in the battle of Cache River, to date from March 13, 1865.

Edwin B. Houghton, late captain of the Seventeenth Maine Volunteers, for gallant conduct at the battle of Chancellorsville, Va., to date from March 13, 1865.

A. G. Goodwin, late captain of the Thirteenth Maine Volunteers, for gallant and meritorious services in the battle of Sabine Cross-Roads, April 8, 1864, to date from March 13, 1865.

John D. O'Brien, late captain of the Twenty-fourth New York Volunteers, for gallant and meritorious services in the battle of Antietam, Md., to date from March 13, 1865.

George Hugernin, late captain of the One hundred and forty-seventh New York Volunteers, for gallant and meritorious services in the battle of the Weldon Railroad August 18, 1864, to date from March 13, 1865.

John O'Kane, late captain of the Fifty-eighth Illinois Volunteers, for gallant and meritorious services in the battle of Shiloh, Tenn., to date from March 13, 1865.

I am, sir, with great respect, your obedient servant,
U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment by brevet in the Volunteer force, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December* 18, 1867.

WAR DEPARTMENT,
Washington, December 18*th*, 1867.

SIR: I have the honor to propose for your approbation the following-named persons for appointment by brevet in the Volunteer force:

To be lieutenant-colonels by brevet.

Job C. Hedges, late major of the Fourteenth New York Artillery, for gallant and conspicuous conduct at Cold Harbor, Va., to date from May 31, 1864.

Brevet Major Edwin B. Houghton, late captain of the Seventeenth Maine Volunteers, for conspicuous bravery at the battle of Spottsylvania, Va., to date from March 13, 1865.

Brevet Major Archer N. Martin, late captain of the Sixteenth Pennsylvania Cavalry, for conspicuous gallantry at the battle of Cedar Creek, and in all the engagements during the Appomattox campaign, to date from March 13, 1865.

Brevet Major A. G. Goodwin, late captain of the Thirteenth Maine Volunteers, for gallant conduct at the battle of Winchester, Va., September 19, 1864, to date from March 13, 1865.

Brevet Major John O'Kane, late captain of the Fifty-eighth Illinois Volunteers, for gallant and meritorious services in the battle of Pleasant Hill, La., to date from March 13, 1865.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the person named in the accompanying communication for appointment by brevet in the Volunteer force, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December* 18, 1867.

WAR DEPARTMENT,
Washington, December 18th, 1867.

SIR: I have the honor to propose for your approbation the following-named persons for appointment by brevet in the Volunteer force:

To be colonels by brevet.

Brevet Lieutenant-Colonel Job C. Hedges, late major of the Twentieth New York Artillery, for gallantry in leading his regiment in front of Petersburg on the enemy's works, 17th of June, 1864, where he fell at the head of his colnmn, to date from June 17, 1864.

Solomon S. Matthews, late lieutenant-colonel of the Fifth Michigan Volunteers, for gallant and meritorious services in the battles of Glendale and the Wilderness, Va., to date from March 13, 1865.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment by brevet in the Volunteer force, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December 18th*, 1867.

WAR DEPARTMENT,
Washington, December 18th, 1867.

SIR: I have the honor to propose for your approbation the following-named persons for appointment by brevet in the Volnnteer force:

To be brigadier-generals by brevet.

Nicholas L. Anderson, late colonel of the Sixth Ohio Volunteers, for gallant conduct and meritorions services in the battle of Stone River, December 31, 1862, to date from March 13, 1865.

Brevet Colonel Solomon S. Matthews, late lieutenant-colonel of the Fifth Michigan Volunteers, for gallant and meritorions services in the battles of Glendale and the Wilderness, Va., to date from March 13, 1865,

George C. Burling, late colonel of the Sixth New Jersey Volunteers, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 13, 1865.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the person named in the accompanying communication for appointment by brevet in the Volunteer force, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *December* 18*th*, 1867.

WAR DEPARTMENT,
Washington, December 18*th*, 1867.

SIR: I have the honor to propose for your approbation the following-named person for appointment by brevet in the Volunteer force:

To be major-general by brevet.

Brevet Brigadier-General Nicholas L. Anderson, late colonel of the Sixth Ohio Volunteers, for distinguished gallantry and meritorious conduct in the battle of Chickamauga, September 19th and 20th, 1863, to date from March 13, 1865.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I transmit, for the consideration of the Senate, an agreement between the diplomatic representatives of certain foreign powers in Japan, including the minister of the United States on the one part, and plenipotentiaries on the part of the Japanese Government, relative to the settlement of Yokohama.

This instrument cannot be legally binding upon the United States unless sanctioned by the Senate. There appears to be no objection to its approval.

A copy of General Van Valkenburgh's dispatch to the Secretary of State, by which the agreement was accompanied, and of the map to which it refers, are also herewith transmitted.

ANDREW JOHNSON.

WASHINGTON, *December* 17, 1867.

To the Senate of the United States:

I transmit to the Senate, in answer to a resolution of that body of the 16th instant, a report from the Secretary of State, with accompanying papers.

ANDREW JOHNSON.

WASHINGTON, 19*th December*, 1867.

To the Senate of the United States:

I transmit herewith a communication from the Postmaster-General, stating the evidence and reasons for the suspension from office of John B. Lowry, postmaster at Danville, Virginia. The duties of the office are temporarily performed by Alger M. Wheeler.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 19, 1867.

The messages were read.

Ordered, That the nominations of Charles A. Stillman and Frank D. Webster be referred to the Committee on Naval Affairs.

Ordered, That the nominations of Henry Biehn, Thomas N. Lee, R. H. P. Farrall, F. T. Sherman, William A. Trower, David K. Noyes, George W. Tabler, David H. Johnson, Henry V. Colt, Alfred Buckhart, Alden Raymond, Daniel McKenna, and Alger M. Wheeler be referred to the Committee on Post-Offices and Post-Roads.

Ordered, That the nomination of John C. Cartwright be referred to the Committee on the Judiciary.

Ordered, That the nomination of Ethan Allen be referred to the Committee on Commerce.

Ordered, That the nominations of James Calhoun and Frank M. Gibson, Charles G. Hudson and others, G. H. T. Ferdinand Axl, Peter Moffatt, Charles Bird and others, Joseph H. Hays, Charles Bird and others, Charles Bird and others, John M. Wilson and Samuel B. M. Young, Richard B. Foster and others, William W. Bell and others, Job C. Hedges and others, Job C. Hedges and Solomon S. Matthews, Nicholas L. Anderson and others, and Nicholas L. Anderson be referred to the Committee on Military Affairs and the Militia and printed in confidence for the use of the Senate.

The agreement between the diplomatic representatives of certain foreign powers in Japan, including the minister of the United States on the one part, and plenipotentiaries on the part of the Japanese Government, signed at Yedo, the 29th of December, 1866, was read the first time.

On motion by Mr. Sumner,

Ordered, That the said agreement be referred to the Committee on Foreign Relations and, with the message and accompanying documents, be printed in confidence for the use of the Senate.

Ordered, That the communication from the Postmaster-General relative to the suspension from office of John B Lowrey, deputy postmaster at Danville, Virginia, be referred to the Committee on Post-Offices and Post-Roads.

Ordered, That the report of the Secretary of State, with accompanying papers relating to the removal of Governor Ballard, of Idaho. be referred to the Committee on Territories.

Mr. Fessenden presented the petition of Wm. James, collector of the 3d district of Virginia. praying to be furnished with a copy of the charges against him, with the evidence sustaining them, which was referred to the Committee on Finance.

Mr. Harlan, from the Committee on the District of Columbia, to whom were referred, the 17th instant, the nominations of George H. Plant and C. H. Nichols, reported favorably thereon.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Fowler, from the Committee on Territories, to whom was referred, the 17th instant, the nomination of Edwin Higgins, reported favorably thereon.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Morrill, of Vt., from the Committee on Finance, to whom were referred, the 9th instant, the nomination of Francis W. Boyle, reported adversely thereon.

WEDNESDAY, JANUARY 8, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Benjamin C. Nixon to be deputy postmaster at Jeffersonville, in the county of Clark and State of Indiana, to fill vacancy occasioned by rejection of Jas. N. Patterson.

ANDREW JOHNSON.

WASHINGTON, D. C., *Jan'y* 8, 1868.

To the Senate of the United States:

I nominate John Robertson to be depnty postmaster at New Lisbon, in the county of Columbiana and State of Ohio, the office having become subject to Presidential appointment by increase of business.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 8, 1868.

To the Senate of the United States:

I nominate Joseph S. Collins to be deputy postmaster at Fort Randall, in the county of Charles Mix and Ter. of Dakota, in place of Charles E. Hedges, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 8, 1868.

To the Senate of the United States:

I nominate William G. Powers to be deputy postmaster at Mount Vernon, in the county of Linn and State of Iowa, in place of Luther L. Pease, sp'l agent in charge of post-office.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 8, 1868.

To the Senate of the United States:

I nominate Egbert H. Grandin to be United States attorney for the southern district of Alabama, in place of L. V. B. Martin, removed.

ANDREW JOHNSON.

EXECUTIVE MANSION, *January* 7, 1868.

To the Senate of the United States:

I nominate Nicholas Callan and Terence Drury to be justices of the peace for the county of Washington, D. C.

ANDREW JOHNSON.

EXECUTIVE MANSION, *January* 8, 1868.

To the Senate of the United States:

I nominate Samuel P. Daniels, of Indiana, to be receiver of public moneys for the district of lands subject to sale at Indianapolis, Indiana, vice William Boaz, whose term of office has expired.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 20, 1867.

To the Senate of the United States:

I nominate James W. Henderson, of California, who was commissioned during the recess of the Senate, to be register of the land office at Humboldt, California, vice John Keleher, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 8, 1868.

To the Senate of the United States:

I nominate John B. Jones, who was commissioned during the recess of the Senate, to be pension agent at Fort Gibson, Cherokee Nation.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 8, 1868.

To the Senate of the United States:

I nominate James M. Castello, of Colorado, to be receiver of public moneys for the district of lands subject to sale at Fair Play, Colorado Territory, vice James Lutterill, rejected.

ANDREW JOHNSON.

WASHINGTON, D. C., *January*, 1868.

To the Senate of the United States:

I nominate Edmund S. Davis, of Nevada, to be register of the land office at Austin, Nevada.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 8, 1868.

To the Senate of the United States:

For reasons which will appear from the accompanying paper, I again submit the nomination of B. F. Chandler to be civil engineer in the Navy, for navy-yard service.

ANDREW JOHNSON.

WASHINGTON CITY, 19 *December*, 1867.

To the Senate of the United States:

I nominate Philip B. Fonke to be naval officer for the district of New Orleans, in the State of Louisiana, in place of Jas. B. Sullivan, to be removed for inefficiency.

ANDREW JOHNSON.

WASHINGTON, *January* 6, 1868.

To the Senate of the United States:

I nominate Thomas N. Stillwell, of Indiana, to be minister resident of the United States at Venezuela, he having been appointed during the recess.

ANDREW JOHNSON.

WASHINGTON, D. C., *January 8th*, 1868.

To the Senate of the United States:

I nominate Elisha B. Hamilton to be surveyor of the customs for the port of Quincy, in the State of Illinois, to fill a vacancy existing since the close of the 2d session, 39th Congress.

ANDREW JOHNSON.

WASHINGTON, D. C. *January* 7, 1868.

To the Senate of the United States:

I herewith transmit to the Senate a report of the Secretary of State, dated Dec'r 31st, 1867, being in addition to his report of the 9th of the same month, transmitting the evidence on which was based the suspension of C. Lee Moses, our consul at Brunai, Borneo.

ANDREW JOHNSON.

WASHINGTON, *Jan.* 6, 1868.

The messages was read.

Ordered, that the nominations of Benjamin C. Nixon, John Robertson, Joseph S. Collins, and William G. Powers be referred to the Committee on Post-Offices and Post-Roads.

Ordered, That the nomination of Egbert H. Grandin be referred to the Committee on the Judiciary.

Ordered, That the nominations of Nicholas Callan and Terence Drury be referred to the Committee on the District of Columbia.

Ordered, That the nomination of Samuel P. Daniels, James W. Henderson, James M. Castello. and Edmund S. Davis be referred to the Committee on Public Lands.

Ordered, That the nomination of John B. Jones be referred to the Committee on Pensions.

Ordered, That the nomination of B. F. Chandler be referred to the Committee on Naval Affairs.

Ordered, That the nominations of Philip B. Fouke and Elisha B. Hamilton be referred to the Committee on Commerce.

Ordered, That the nomination of Thomas N. Stillwell be referred to the Committee on Foreign Relations.

The report of the Secretary of State relative to the suspension from office of C. Lee Moses, consul of the United States at Brunai, Borneo, was referred to the Committee on Commerce.

Mr. Sumner presented a memorial of the Board of Trade of Boston.

Mr. Drake, from the Committee on Naval Affairs, to whom was referred, the 11th December, the nomination of Thomas Y. Field, reported adversely thereon.

Mr. Trumbull, from the Committee on the Judiciary, to whom was referred, the 20th December last, the nomination of John C. Cartwright, reported favorably thereon.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom were referred, the 16th December last, the nominations of Wm. L. Houser and Daniel Burnman, and the 20th December last those of Alden Raymond and Daniel McKenna, reported adversely thereon.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom were referred, the 20th December last, the nominations of Thomas N. Lee and David K. Noyes, reported favorably thereon.

Mr. Van Winkle, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 20th December last, the nomination of George W. Tabler, reported favorably thereon.

Mr. Sherman, from the Committee on Finance, to whom was referred, the 11th December last, the nomination of William D. Foutz, reported thereon adversely.

On motion by Mr. Cameron, the Senate proceeded to consider the nomination of Francis W. Boyle; and

Resolved, That the Senate do not advise and consent to his appointment.

THURSDAY, JANUARY 9, 1868.

Mr. Pomeroy, from the Committee on Public Lands, to whom was referred, the 8th instant, the nomination of Samuel P. Daniels, reported adversely thereon.

Mr. Pomeroy, from the Committee on Public Lands, to whom was referred, the 8th instant, the nomination of James M. Castello, reported favorably thereon.

Mr. Stewart, from the Committee on Public Lands, to whom was referred, the 8th instant, the nomination of Edmund S. Davis, reported favorably thereon.

Mr. Sumner presented the memorial of——

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 20th December, the nomination of Henry Biehn, reported favorably thereon.

Mr. Harlan, from the Committee on the District of Columbia, to whom was referred, the 9th December last, the nomination of James Lynch, reported favorably thereon.

Mr. Fessenden presented papers relating to the suspension of William James, collector of internal revenue for the third district of Virginia, which were referred to the Committee on Finance.

Mr. Frelinghuysen, from the Committee on the Judiciary, to whom was referred, the 8th instant, the nomination of Egbert H. Grandin, reported favorably thereon.

The Senate proceeded to consider the nominations of Edw'd Cooper, Lemuel D. Evans, James L. Robbins, Alexander K. Lowrey, William J. Clark, William C. Houser, Daniel Burnman, Alden Raymond, Daniel McKenna, and William D. Foutz; and

Resolved, That the Senate do not advise and consent to the appointment of the said persons.

The Senate proceeded to consider the nominations of J. Guy Foreman, Oscar Minor, John C. Cartwright, Thomas N. Lee, David K. Noyes, and George W. Tabler; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate proceeded to consider the nomination of Gideon H. Hollister; and,

On motion by Mr. Sumner,

Ordered, That the said nomination be referred to the Committee on Foreign Relations.

FRIDAY, JANUARY 10, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary.

To the Senate of the United States:

I nominate Charles Mundee, of Florida, to be register of the land office at Tallahassee, Florida, vice A. B. Stonlake, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 10, 1868.

To the Senate of the United States:

I nominate A. Warren Rose, of California, to be receiver of public moneys for the district of lands subject to sale at Sacramento, California.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 10, 1868.

To the Senate of the United States:

I nominate Edward B. McPherson, of Missouri, to be receiver of public moneys for the district of lands subject to sale at Boonville, Mo.

ANDREW JOHNSON.

WASHINGTON, D. C., *Jan'y* 10, 1868.

To the Senate of the United States:

I nominate William J. Britton to be assessor of internal revenue for the first district of Mississippi, in place of A. H. Hall, to be removed for inefficiency and misconduct in office.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 6, 1868.

To the Senate of the United States:

I nominate John M. Reynolds to be assessor of internal revenue for the 24th district of New York, in place of Joseph W. Gates, to be removed.

ANDREW JOHNSON.

WASHINGTON, *January* 6, 1868.

To the Senate of the United States:

I nominate William M. Post to be assessor of internal revenue for the 12th district of Pennsylvania, to fill a vacancy existing since the close of the 2d session 39th Congress.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 10, 1868.

To the Senate of the United States:

I nominate George C. Getchell to be assessor of internal revenue for the third district of Maine, in place of George W. Wilcox, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *January 9th*, 1868.

To the Senate of the United States:

I nominate Thomas J. Kinsella to be collector of internal revenue for the first district of Illinois, in place of O. L. Mann, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 8, 1868.

To the Senate of the United States:

I nominate Chas. G. Green to be assistant treasurer of the United States at Boston, Massachusetts, in place of T. P. Chandler, whose commission expired Jan. 18, 1868.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 8, 1868.

To the Senate of the United States:

I nominate Joseph E. Smith to be collector of customs for the district of Wiscasset, in the State of Maine, in place of Erastus Foote, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 9, 1868.

To the Senate of the United States:

I nominate Samuel S. Cox, of New York, to be envoy extraordinary and minister plenipotentiary of the United States to Austria, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 13, 1868.

The messages were read.

Ordered, That the nominations of Charles Mundee, A. Warren Rose, and Edward B. McPherson be referred to the Committee on Public Lands.

Ordered, That the nominations of Wm. J. Britton, John M. Reynolds, Wm. M. Post, George C. Getchell, Thomas J. Kinsella, and Charles G. Green be referred to the Committee on Finance.

Ordered, That the nomination of Joseph E. Smith be referred to the Committee on Commerce.

Mr. Howard, from the Committee on Military Affairs and the Militia, to whom was referred, the 12th of December last, the message of the President of the United States relative to the suspension of Edwin M. Stanton, Secretary of the Departmentof War, submitted a report, accompanied by the following resolution:

Resolved, That having considered the evidence and reasons given by the President in his report of the 12th of December, 1867, for the suspension from the office of Secretary of War of Edwin M. Stanton, the Senate do not concur in such suspension.

Mr. Doolittle asked and obtained leave to present the views of the minority of the Committee on Military Affairs and the Militia, on the message of the President of the United States relating to the suspension of Edwin M. Stanton, Secretary of War, which were ordered to be printed with the report of the majority.

On motion by Mr. Doolittle that the injunction of secrecy be removed from the views of the minority, so as to permit the publication thereof,

It was determined in the negative.

Mr. Van Winkle, from the Committee on Pensions, to whom was referred, the 8th instant, the nomination of John B. Jones, reported favorably thereon.

Mr. Van Winkle, from the Committee on Finance, submitted the following resolutions, which were read and ordered to lie on the table.

Resolved, That the Senate hereby concur in the suspension of William James, collector of internal revenue for the third district of Virginia, and do hereby advise and consent to the removal of the said James from his said office, and that the same be certified to the President.

Resolved, That in the opinion of the Senate the nomination of John E. Mulford to be collector of internal revenue for the third district of Virginia, vice Wm. James, suspended for misconduct in office, is not properly before them for consideration, the said James not having been removed from his office by the President.

Resolved, That the Secretary send to the President a copy of the foregoing resolution.

SATURDAY, JANUARY 11, 1868.

On motion by Mr. Howard,

The Senate proceeded to consider the resolution reported from the Committee on Military Affairs and the Militia, the 10th instant, relative to the suspension from office of Edwin M. Stanton, Secretary for the Department of War.

On motion by Mr. Buckalew, that the 41st rule be suspended in the case of the suspension of Edwin M. Stanton, so far as to admit the presence of a reporter when the case shall be considered in executive session,

It was determined in the negative, { Yeas..... 10
Nays 32

On motion by Mr. Dixon,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Buckalew, Dixon, Doolittle, Fowler, Hendricks, Johnson, Norton, Patterson of Tenn., Pomeroy, and Ross.

Those who voted in the negative are,

Messrs. Cattell, Chandler, Cole, Conkling, Conness, Corbett, Cragin, Edmunds, Ferry, Fessenden, Frelinghuysen, Harlan, Henderson, Howard, Howe, Morgan, Morrill of Me., Morrill of Vt., Nye, Patterson of N. H., Ramsey, Sherman, Sprague, Stewart, Sumner, Thayer, Tipton, Trumbull, Van Winkle, Wade, Willey, Williams.

So the motion was not agreed to.

The question recurring on the resolution reported by the Committee on Military Affairs and the Militia,

On motion by Mr. Doolittle to amend the said resolution by striking out all after the word "Resolved" and inserting in lieu thereof the words "*that the Senate advise and consent to the removal of Edwin M. Stanton,*"

It was determined in the negative, { Yeas..... 8
Nays..... 31

On motion by Mr. Doolittle,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Buckalew, Dixon, Doolittle, Hendricks, Johnson, Norton, Patterson of Tenn., Ross.

Those who voted in the negative are,

Messrs. Anthony, Cattell, Chandler, Cole, Conkling, Conness, Corbett, Cragin, Edmunds, Ferry, Fessenden, Howard, Howe, Morgan, Morrill of Me., Morrill of Vt., Morton, Nye, Patterson of N. H., Ramsey, Sherman, Sprague, Stewart, Sumner, Thayer, Tipton, Trumbull, Van Winkle, Wade, Willey, Williams.

So the amendment was not agreed to.

The question recurring on the resolution,

After debate,

On motion by Mr. Morrill, of Me.,

Ordered, That the Secretary request the President of the United States to return to the Senate the resolution that the Senate do not advise and consent to the appointment of Lemuel D. Evans.

Mr. Morrill, of Me., submitted the following motion for consideration:

That the resolution that the Senate do not advise and consent to the appointment of Lemuel D. Evans be reconsidered.

MONDAY, JANUARY 13, 1868.

On motion by Mr. Howard,

The Senate resumed consideration of the resolution reported by the Committee on Military Affairs and the Militia, the 10th instant; and,

After debate,

On the question to agree to the said resolution,

It was determined in the affirmative, { Yeas..... 35
Nays..... 6

On motion by Mr. Johnson,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Anthony, Cameron, Cattell, Chandler, Cole, Conkling, Conness, Corbett, Cragin, Drake, Edmunds, Ferry, Fessenden, Fowler, Frelinghuysen, Harlan, Howard, Howe, Morgan, Morrill of Me., Morrill of Vt., Morton, Nye, Patterson of N. H., Pomeroy, Ramsey, Stewart, Sumner, Thayer, Tipton, Trumbull, Wade, Willey, Williams, Wilson.

Those who voted in the negative are,

Messrs. Bayard, Buckalew, Davis, Dixon, Doolittle, Patterson of Tenn.

So it was

Resolved, That having considered the evidence and reasons given by the President, in his report of the 12th December, 1867, for the suspension from the office of Secretary of War of Edwin M. Stanton, the Senate do not concur in such suspension.

On motion by Mr. Howard,

Ordered, That the Secretary forthwith communicate an official and authenticated copy of the resolution of the Senate nonconcurring in the suspension of Edwin M. Stanton, Secretary of War, this day adopted, to the President of the United States, to the said Edwin M. Stanton; and, also, to General U. S. Grant, Secretary of War *ad interim*.

On motion by Mr. Morton,

Ordered, That the injunction of secrecy as relates to the said resolution, this day adopted, be removed.

THURSDAY, JANUARY 16, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Samuel S. Cox, of New York, to be envoy extraordinary and minister plenipotentiary of the United States to Austria, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 13, 1868.

To the Senate of the United States:

I nominate R. H. O'Ferrall to be deputy postmaster at Chico, in the county of Butte and State of California, in place of T. J. Bidwell, deceased. The name of R. H. P. Ferrall was sent in for the above office under date of December 17th, 1867, by mistake.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 14, 1868.

To the Senate of the United States:

I nominate James M. Nibling to be deputy postmaster at Finley, in the county of Hancock and State of Ohio, to fill vacancy.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 14, 1868.

To the Senate of the United States:

I nominate Fanny Vandegrift to be deputy postmaster at University of Virginia, in the county of Albemarle and State of Virginia, in place of David Vandegritt, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *Jan'y* 14, 1868.

To the Senate of the United States:

I nominate Felix G. Clarke, of Iowa, to be register of the land office at Des Moines, Iowa, vice Thomas Seeley, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 14, 1868.

To the Senate of the United States:

I nominate Thomas B. Asten to be assessor of internal revenue for the 8th district of New York, in place of Anthony J. Bleecker, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 13, 1868.

To the Senate of the United States:

I nominate Butler H. Bixby to be collector of internal revenue for the 8th district of New York, in place of Thomas E. Smith, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 13*th*, 1868.

To the Senate of the United States:

I nominate Reuben S. Torrey to be collector of internal revenue for the 2d district of New York, in place of A. M. Wood, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 13*th*, 1868.

To the Senate of the United States:

I nominate William F. Kilgore to be a third lieutenant in the revenue-cutter service of the United States, vice George Gerrard, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *Jan'y*, 14, 1868.

To the Senate of the United States:

I nominate Killian V. Whaley to be collector of customs for the district of Brazos de Santiago, in the State of Texas, in place of Richard L. Robertson, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 11*th*, 1868.

To the Senate of the United States:

I nominate Bion Bradbury to be collector of customs for the district of Portland and Falmouth, in the State of Maine, in place of Israel Washburn, jr., whose commission expires on the 19th instant.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 11, 1868.

To the Senate of the United States:

I nominate John D. Hopkins to be collector of customs for the district of Frenchman's Bay, in the State of Maine, in place of William B. Peters, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 13, 1868.

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To the Senate of the United States:

I nominate the officer named in the accompanying communication for appointment by brevet in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *January* 11*th*, 1868.

WAR DEPARTMENT,
Washington, January 11*th*, 1868.

SIR: I have the honor to propose for your approbation the following-named officer for appointment by brevet in the Army of the United States:

To be lieutenant colonel by brevet.

Major George W. Wallace, of the Sixth Regiment United States Infantry, for faithful and meritorious services connected with the organization of the Volunteer armies of the United States, to date from May 25, 1864.

To be colonel by brevet.

Brevet Lieutenant-Colonel George W. Wallace, major of the Sixth Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 13, 1865.

To be brigadier-general by brevet.

Brevet Colonel George W. Wallace, major of the Sixth Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 13, 1865.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the officer named in the accompanying communication for appointment by brevet in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *January* 10, 1868.

WAR DEPARTMENT,
Washington, January 10, 1868.

SIR: I have the honor to propose for your approbation the following-named officer for appointment by brevet in the Army of the United States.

To be major-general by brevet.

Brevet Brigadier-General James H. Carleton, lieutenant-colonel of the Fourth Regiment United States Cavalry, for meritorious services during the war, to date from March 13, 1865.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

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To the Senate of the United States:

I transmit herewith a communication from the Secretary of the Treasury, together with the accompanying papers, giving the evidence and reasons for the suspension from office, on the 30th ultimo, of Charles H. Hopkins, assessor of internal revenue for the first district of Georgia. Lloyd D. Waddell has been designated to perform temporarily the duties of the office.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 13, 1868.

To the Senate of the United States:

In compliance with the request of the Senate of the 11th instant, I return herewith their resolution of the 9th January, 1868, rejecting the nomination of Lemuel D. Evans to be collector of internal revenue for the fourth district of Texas.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 13, 1868.

To the Senate of the United States:

I withdraw the name of Lieutenant-Colonel George W. Wallace, of the Twelfth Regiment United States Infantry, nominated on the 3d ultimo for appointment as colonel and brigadier-general by brevet.

ANDREW JOHNSON.

WASHINGTON, *January* 11, 1868.

WAR DEPARTMENT,
Washington, January 11th, 1868.

SIR: I have the honor to request the withdrawal of the name of Lieutenant-Colonel George W. Wallace, of the Twelfth Regiment United States Infantry, nominated on the 3d ultimo for appointment as colonel and brigadier-general by brevet.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I herewith lay before the Senate, for its constitutional action thereon, the following treaties, concluded at "Medicine Lodge Creek," Kansas, between the Indian tribes therein named and the United States, by their commissioners appointed by the act of Congress, approved July 20th, 1867, entitled "An act to establish peace with certain hostile Indian tribes," viz:

A treaty with the the Kiowa and Comanche tribes, concluded October 21st, 1867.

A treaty with the Kiowa, Comanche, and Apache tribes, concluded October 28th, 1867.

A treaty with the Arapahoe and Cheyenne tribes, dated October 28th, 1867.

A letter of this date from the Secretary of the Interior transmitting said treaties is herewith inclosed.

ANDREW JOHNSON.

WASHINGTON CITY, *January* 14, 1868.

The messages were read.

Ordered, That the nomination of Samuel S. Cox be referred to the Committee on Foreign Relations.

Ordered, That the nominations of R. H. O'Ferrall, James M. Uibling, and Fanny Vandegrift be referred to the Committee on Post-Offices and Post-Roads.

Ordered, That the nomination of Felix G. Clarke be referred to the Committee on Public Lands.

Ordered, That the nominations of Thomas B. Asten, Butler H. Bixby, and Reuben S. Torrey be referred to the Committee on Finance.

Ordered, That the nominations of Wm. S. Kilgore, Killian V. Whaley, Bion Bradbury, and John D. Hopkins be referred to the Committee on Commerce.

Ordered, That the nominations of George W. Wallace and James H. Carleton be referred to the Committee on Military Affairs and the Militia.

Ordered, That the message of the President, together with the accompanying papers, relative to the suspension of Charles H. Hopkins, assessor of internal revenue for the first district of Georgia, be referred to the Committee on Finance.

The treaty with the Cheyenne and Arapahoe tribes of Indians, concluded at Medicine Lodge Creek, Kansas, the 28th October, 1867, was read the first time.

On motion by Mr. Henderson,

Ordered, That the said treaty be referred to the Committee on Indian Affairs and printed in confidence for the use of the Senate.

The treaty of confederation of the Kiowa, Comanche, and Apache tribes of Indians, concluded at Medicine Lodge Creek, Kansas, the 21 October, 1867, was read the first time.

On motion by Mr. Henderson,

Ordered, That the said treaty be referred to the Committee on Indian Affairs and printed in confidence for the use of the Senate.

The treaty with the Kiowa and Comanche tribes of Indians, concluded at Medicine Lodge Creek, Kansas, the 21 October, 1867, was read the first time.

On motion by Mr. Henderson,

Ordered, That the said treaty be referred to the Committee on Indian Affairs and printed in confidence for the use of the Senate.

Mr. Conness, from the Committee on Post-Offices and Post-Roads, to whom was referred, this day, the nomination of R. H. O'Ferrall, reported adversely thereon.

Mr. Henderson, from the Committee on Finance, to whom was referred, the 10th instant, the nomination of Thomas J. Kinsella, reported adversely thereon.

Mr. Morrill, of Vt., from the Committee on Finance, to whom was referred, the 10th instant, the nomination of George C. Getchell, reported adversely thereon.

Mr. Wilson, from the Committee on Military Affairs and the Militia, to whom were referred, the 9th December, the nominations of Abel Mechem and others, reported favorably thereon, excepting on the nomination of Albert J. Garrett, which he did not report.

Mr. Wilson, from the Committee on Military Affairs and the Militia, to whom were referred, the 9th of December, the nomination of Nathan A. M. Dudley, the 11th December those of Ely S. Parker and others, Thomas McDougall and others, Tenedor Ten Eyck and others, David A. Russell (bvt. colonels), David A. Russell and others (bvt. brig. generals), David A. Russell and others (bvt. major generals), Henry W. Janes and others, S. M. Pollock and others, John R. Bailey and Edward C. Moore, Edward D. Parker and others, Frederick De Peyster

(bvt. captain), Frederick De Peyster (1st lieutenant by brevet), Frank M. Kelley and others, Daniel M. Page and others, Elbert Hegemen and others, Edward M. Payne and others, Robert M. Thompson and others (brevet colonels), Robert M. Thompson and others (brevet brig. gen.), Jno. P. C. Shanks and others, and the 20th December those of Cha's Bird and others (bvt. 1st lieuts.). Joseph H. Hayes and others. Charles Bird and others (bvt. majors), Charles Bird and others (bvt. lieut. colonels). John M. Wilson and Samnel B. M. Young, Richard B. Foster and others, William W. Bell and others, Job C. Hedges and others (bvt. colonels), Job C. Hedges (bvt. colonel), and Solomon S. Matthews, Nicholas L. Anderson and others (bvt. brig. gen'ls), and Nicholas L. Anderson (bvt. maj. general), reported favorably thereon.

Mr. Wilson, from the Committee on Military Affairs and the Militia, to whom was referred, the 9th December, the message of the President of the United States "desiring the consent of the Senate to the correction of certain clerical errors," reported the following resolution:

Resolved, That the Senate advise and consent to the correction of certain clerical errors, as desired by the message of the President of the United States dated December 3d, 1867

Mr. Cattell, from the Committee on Finance, to whom was referred, the 10th instant, the nomination of William M. Post, reported favorably thereon.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 20th December the papers communicated by the President of the United States in his message dated December 19 last, relative to the suspension of John B. Lowry, reported the following resolution, which was considered by unanimous consent, and agreed to:

Resolved, That the Senate advise and consent to the suspension from office of John B. Lowry, late deputy postmaster at Danville, in the State of Virginia.

Mr. Morgan, from the Committee on Finance, to whom was referred, the 10th instant, the nomination of John M. Reynolds, reported adversely thereon.

Mr. Cragin, from the Committee on Naval Affairs, to whom was referred, the 8th instant, the nomination of B. F. Chandler, reported favorably thereon.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Buckalew,

Ordered, That the rule of the Senate be suspended so far as to permit that the nominations acted on this day be forthwith laid before the President of the United States.

Mr. Pomeroy, from the Committee on Public Lands, to whom was referred the nomination of Edward B. McPherson, reported favorably thereon.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Howard submitted the following order for consideration:

Ordered, That the Secretary of the Senate furnish to the Secretary of State, the Secretary of the Treasury, the Secretary of the Interior,

the Secretary of the Navy, the Postmaster-General, and the Attorney-General a duly authenticated copy of the resolution of the Senate of 13th January, instant, relating to the suspension from the office of Secretary of War of Edwin M. Stanton.

The Senate proceeded to consider the nominations of James M. Costello, Edmund S. Davis, James Lynch, Henry Biehn, John B. Jones, and Egbert H. Grandin; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate proceeded to consider the nomination of Samuel P. Daniels; and

Resolved, That the Senate do not advise and consent to his appointment.

The Senate proceeded to consider the motion submitted by Mr. Morrill, of Maine, the 11th instant, that the resolution that the Senate do not advise and consent to the appointment of Lemuel D. Evans be reconsidered; and the question being taken,

It was determined in the affirmative.

The question recurring, Will the Senate advise and consent to the said appointment?

On motion by Mr. Morrill, of Maine,

Ordered, That the nomination of Lemuel D. Evans be recommitted to the Committee on Finance.

The Senate, by unanimous consent, proceeded to consider the nominations of John M. Reynolds, Thomas J. Kinsella, and R. H. O'Farrell; and

Resolved, That the Senate do not advise and consent to the appointment of the said persons.

The Senate resumed consideration of the report from the Committee on the Judiciary, submitted the 13th December last, relative to a proper mode of proceeding in cases of suspension from office under the 2d section of the tenure-of-office act.

Mr. Van Winkle proposed to amend the third article of the report by striking out all after the word "committee" where it first occurs in said article, and inserting in lieu thereof the words: *And if they shall believe that the alleged cause of suspension is sufficient, and is sustained by evidence warranting the action of the President, they shall recommend a concurrence in the suspension.*

MONDAY, JANUARY 20, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate James Rankin to be surveyor of the customs for the port of Saybrook, in the State of Connecticut, in place of William J. Clark, rejected.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 14, 1868.

To the Senate of the United States:

I nominate Albert G. Gridley to be general appraiser of merchandise for the South, under the act of March 3d, 1857, to fill a vacancy existing since the close of the war.

ANDREW JOHNSON.

WASHINGTON, D. C., *Jan'y* 16, 1868.

To the Senate of the United States:

I nominate Edwin S. McCook to be collector of internal revenue for the 8th district of Illinois, in place of Dan'l Littler, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *January 20th*, 1868.

To the Senate of the United States:

I nominate Ewing Searight to be assessor of internal revenue 21st district of Pennsylvania, in place of Westley Frost, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 20, 1868.

To the Senate of the United States:

I nominate Charles H. Belvin, of North Carolina, to be pension agent at Raleigh, North Carolina, vice Andrew Miller, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 20, 1868.

To the Senate of the United States:

I nominate Guy M. Hulett, of Colorado, to be receiver of public moneys for the district of lands subject to sale at Central City, Colorado.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 20, 1868.

To the Senate of the United States:

I nominate Irving W. Stanton, of Colorado, to be register of the land office at Central City, Colorado.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 20, 1868.

To the Senate of the United States:

I nominate Leonard B. Ayer, of California, to be register of the land office at Marysville, California, vice Alexander K. Lowrey, rejected.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 20, 1868.

To the Senate of the United States:

I nominate Rufus Cheeny to be deputy postmaster at Whitewater, in the county of Walworth and State of Wisconsin, in place of Edmund B. Gray, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *Jan.* 14, 1868.

To the Senate of the United States:

I nominate Alfred Kent to be deputy postmaster at Gonzales, in the county of Gonzales and State of Texas, in place of Edmund Bellinger, who has failed to bond.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 14, 1868.

To the Senate of the United States:

I nominate William Heffner to be deputy postmaster at Shreveport, in the parish of Caddo and State of Louisiana, in place of C. H. Thompson, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 14, 1868.

To the Senate of the United States:

I nominate the person named in the accompanying communication for reinstatement in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *January 13th*, 1868.

WAR DEPARTMENT,
Washington, January 13th, 1868.

SIR: I have the honor to propose for your approbation the following-named officer for appointment in the Army of the United States, the order cashiering him having been revoked:

Fifth Regiment of Cavalry.

James P. Ruggles, late first lieutenant in the Fifth Cavalry, to be first lieutenant, to date from February 17, 1866.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the person named in the accompanying communication for appointment in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *January 10th*, 1868.

WAR DEPARTMENT,
Washington, January 10th 1868.

SIR: I have the honor to propose for your approbation the following-named person for appointment in the Army of the United States, he having passed the examination required by law:

James W. Sunderland, late captain of the Veteran Reserve Corps, to be second lieutenant in the Twenty-fourth Regiment United States Infantry, October 5, 1867, vice Hynes, promoted.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the officers named in the accompanying communication for appointment by brevet in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *January 10th*, 1868.

WAR DEPARTMENT,
Washington, January 10th, 1868.

SIR: I have the honor to propose for your approbation the following-named officers for appointment by brevet in the Army of the United States:

To be first lieutenants by brevet.

Second Lieutenant John B. Babcock, of the Fifth Regiment United States Cavalry, for gallant and meritorious services at the battles of

Sabine Cross-Roads, Pleasant Hill, and Cane River Crossing, La., to date from March 2, 1867.

Second Lieutenant Benjamin F. Grafton, of the Twenty-ninth Regiment United States Infantry, for gallant and meritorious services in the battle of Atlanta, Ga., to date from May 6, 1867.

Second Lieutenant William B. Brunton, of the Ninth Regiment United States Cavalry, for gallant conduct in the battle of Corinth, Miss., October 2. 1862, to date from June 18, 1867.

Second Lieutenant Charles W. Keyes, of the Forty-fourth Regiment United States Infantry, for gallant and meritorious services in action at Fort Butler, La., to date from March 2, 1867.

Second Lieutenant Adalbert Fell, of the Twenty-first Regiment United States Infantry, for gallant and meritorious services in the battle of Fredericksburg, Va., to date from March 7, 1867.

Second Lieutenant James W. Dixon, of the Fourth Regiment United States Artillery, for gallant and meritorious services in the capture of Petersburg, Va., to date from March 2, 1867.

Second Lieutenant Fred W. Smith, of the Ninth Regiment United States Cavalry, for gallant and meritorious services in the operations before Petersburg, Va., to date from March 2, 1867.

Second Lieutenant William W. Deane, of the Twelfth Regiment United States Infantry, for gallant and meritorious services in the siege of Port Hudson, La., to date from March 2, 1867.

Second Lieutenant Benjamin M. Piatt, of the Forty-fourth Regiment United States Infantry, for gallant and meritorious services in the battle of Chancellorsville, Va., to date from July 2, 1867.

Second Lieutenant George W. Kingsbury, of the Forty-third Regiment United States Infantry, for gallant and meritorious services in the battle of the Wilderness, Va., to date from May 31, 1867.

Second Lieutenant Aaron B. Jerome, of the Eighth Regiment United States Cavalry, for gallant and meritorious services during the war, to date from June 18, 1867.

Second Lieutenant Andrew C. Bayne, of the Forty second Regiment United States Infantry, for gallant and meritorious services in the battle of Salem Church, to date from March 2, 1867.

Second Lieutenant John W. Bean, of the Thirty-fifth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Second Lieutenant George Duff, of the Forty-third Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Second Lieutenant George W. Evans, of the Thirty-second Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Second Lieutenant David G. Swaim, of the Thirty-fourth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Second Lieutenant Allan H. Jackson, of the Seventh Regiment United States Infantry, for gallant and meritorious services in the battle of Chancellorsville, Va., to date from March 2, 1867.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the officers named in the accompanying communication for appointment by brevet in the Army of the United States, as proposed by the Secretary of War *ad interim*.

ANDREW JOHNSON.

WASHINGTON, *January 10th*, 1868.

WAR DEPARTMENT,
Washington, January 10th, 1868.

SIR: I have the honor to propose for your approbation the following-named officers for appointment by brevet in the Army of the United States:

To be captains by breret.

First Lieutenant Andrew Geddes, of the Fortieth Regiment United States Infantry, for gallant and meritorious services in the siege of Vicksburg, Miss., to date from June 12, 1867.

Brevet First Lieutenant John B. Babcock, second lieutenant in the Fifth Regiment United States Cavalry, for gallant and meritorious services at the battles of Sabine Cross-Roads, Pleasant Hill, and Cane River Crossing, La., to date from March 2, 1867.

First Lieutenant John E. Bennett, of the Twenty-eighth Regiment United States Infantry, for gallant and meritorious services in the battle of Lookout Mountain, Tenn., to date from March 2, 1867.

First Lieutenant Henry C. Ward, of the Eleventh Regiment United States Infantry, for gallant and meritorious services in action at Fort Steadman, Va., March 24, 1865, to date from March 2, 1867.

Brevet First Lieutenant Benjamin F. Grafton, second lieutenant in the Twenty-ninth Regiment United States Infantry, for gallant and meritorious services in the battle of Jonesboro', to date from May 6, 1867.

Brevet First Lieutenant William B. Brunton, second lieutenant in the Ninth Regiment United States Cavalry, for gallant conduct at the battle of Nashville, Tenn., December 14, 1864, to date from June 18, 1867.

First Lieutenant Erskine M. Camp, of the Fortieth Regiment United States Infantry, for gallant and meritorious services in the battle of Cedar Mountain, Va., to date from June 10, 1867.

Brevet First Lieutenant Charles W. Keyes, second lieutenant in the Forty-fourth Regiment United States Infantry, for gallant and meritorious services in the battle of Spottsylvania C. H., Va., to date from March 2, 1867.

Brevet First Lieutenant James W. Dixon, second lieutenant in the Fourth Regiment United States Artillery, for gallant and meritorious services in the capture of Petersburg, Va., to date from March 2, 1867.

Brevet First Lieutenant Fred W. Smith, second lieutenant in the Ninth Regiment United States Cavalry, for gallant and meritorious services in the operations before Petersburg, Va., to date from March 2, 1867.

First Lieutenant S. L. Woodward, of the Tenth Regiment United States Cavalry, for gallant and meritorious services during the raid through Mississippi in 1863, to date from December 11, 1867.

Brevet First Lieutenant William W. Dean, second lieutenant in the Twelfth Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 2, 1867.

First Lieutenant Joseph G. Waters, of the Thirty-third Regiment United States Infantry, for gallant conduct at the battle of Franklin, Tenn., November 30, 1864, to date from March 2, 1867.

Brevet First Lieutenant Benjamin M. Piatt, second lieutenant in the Forty-fourth Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from July 2, 1867.

First Lieutenant William A. Kobbe, of the Thirty seventh Regiment United States Infantry, for gallant and meritorious services in the battle of Nashville, Tenn., to date from March 2, 1867.

First Lieutenant Isaac F. Moffatt, of the Ninth Regiment United States Cavalry, for gallant and meritorious services during the war, to date from March 2, 1867.

First Lieutenant William H. Male, of the Thirty-sixth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

First Lieutenant Joseph C. McBride, of the Thirty eighth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

First Lieutenant John M. Norvell, of the Thirty-first Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 2, 1867.

First Lieutenant Nicholas D. Badger, of the Tenth Regiment United States Cavalry, for gallant and meritorious services during the war, to date from May 29, 1867.

Brevet First Lieutenant George W. Evans, second lieutenant in the Thirty-second Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Second Lieutenant David G. Swaim, second lieutenant in the Thirty-fourth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

First Lieutenant James T. McGinniss, of the Thirteenth Regiment United States Infantry, for gallant and meritorious services in the battle of Chickamanga, Ga., to date from March 2, 1867.

Brevet First Lieutenant Allan H. Jackson, second lieutenant in the Seventh Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 2, 1867.

First Lieutenant William A. Almstead, of the Twenty-second Regiment United States Infantry, for gallant and meritorious services in the battle of Malvern Hill, Va., to date from September 15, 1867.

First Lieutenant James D. Vernay, of the Thirty-fifth Regiment United States Infantry, for gallant and meritorious services during the war, to date from July 12, 1867.

I am, sir, with great respect, your obedient servant.

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the officers named in the accompanying communication for appointment by brevet in the Army of the United States, as proposed by the Secretary of War *ad interim*.

ANDREW JOHNSON.

WASHINGTON, *January 10th*, 1868.

WAR DEPARTMENT,
Washington, January 10th, 1868.

SIR: I have the honor to propose for your approbation the following-named officers for appointment by brevet in the Army of the United States:

To be majors by brevet.

Captain Lucius H. Warren, of the Thirty-ninth Regiment United States Infantry, for gallant and meritorious services in the siege of Petersburg, Va., to date from July 31, 1867.

Brevet Captain Andrew Geddes, first lieutenant in the Fortieth Regiment United States Infantry, for gallant and meritorious services in the capture of Spanish Fort, to date from June 12, 1867.

Captain Charles J. Von Herman, of the Thirty-third Regiment United States Infantry, for gallant and meritorious services in the siege of Port Hudson, La., to date from March 2, 1867.

Brevet Captain John E. Bennett, first lieutenant in the Twenty-eighth Regiment United States Infantry, for gallant and meritorious services in the battle of Franklin, Tenn., to date from March 2, 1867.

Captain Dudley Seward, of the Eighth Regiment United States Cavalry, for gallant and meritorious services in action at Monticello, Ky., June 9, 1863, to date from March 2, 1867.

Captain Charles G. Cox, of the Tenth Regiment United States Cavalry, for gallant and meritorious services in the battle of Cold Harbor, Va., to date from June 12, 1867.

Captain Charles G. Fremlenberg, of the Forty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Fair Oaks, Va., to date from March 2, 1867.

Brevet Captain S. L. Woodward, first lieutenant in the Tenth Regiment United States Cavalry, for gallantry during the fight at Egypt Station, Mississippi, December 28, 1864, to date from December 11, 1867.

Brevet Captain John B. Babcock, second lieutenant in the Fifth Regiment United States Cavalry, for gallant and meritorious services at the battles of Sabine Cross-Roads, Pleasant Hill, and Cane River Crossing, La., to date from March 2, 1867.

Brevet Captain William B. Beck, first lieutenant in the Fifth Regiment United States Artillery, for gallant and meritorious services in the siege of Petersburg, Va., to date from March 13, 1865.

Brevet Captain William A. Kobbe, first lieutenant in the Thirty-seventh Regiment United States Infantry, for gallant and meritorious services in the capture of Fort Blakely, Ala., to date from March 2, 1867.

Captain Welcome A. Crafts, of the Twenty-sixth Regiment United States Infantry, for gallant and meritorious services in the battle of Fredericksburg, Va., to date from March 2, 1867.

Captain Abraham Bassford, of the Eighth Regiment United States Cavalry, for gallant and meritorious services in action at Morganza, La., to date from March 2, 1867.

Captain Albert Barnitz, of the Seventh Regiment United States Cavalry, for gallant and meritorious services in action at Ashland Station, Va., to date from March 2, 1867.

Captain Thomas B. Weir, of the Seventh Regiment United States Cavalry, for gallant and meritorious services in the siege of Corinth, Miss., to date from July 31, 1867.

Brevet Captain John M. Norvell, first lieutenant in the Thirty-first Regiment United States Infantry, for gallant and meritorious services in the battle of the Wilderness, Va., to date from March 2, 1867.

Brevet Captain James T. McGinness, first lieutenant in the Thirteenth Regiment United States Infantry, for gallant and meritorious services in the battle of Mission Ridge, Tenn., to date from March 2, 1867.

Brevet Captain Allan H. Jackson, second lieutenant in the Seventh Regiment United States Infantry, for gallant and meritorious services in the battle of Chickamauga, Ga., to date from March 2, 1867.

Brevet Captain William A. Olmstead, first lieutenant in the Twenty-second Regiment United States Infantry, for gallant and meritorious services in the battle of Fredericksburg, Va., to date from September 15, 1867.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the officers named in the accompanying communication for appointment by brevet in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *January 10th*, 1868.

WAR DEPARTMENT,
Washington, January 10th, 1868.

SIR: I have the honor to propose for your approbation the following-named officers for appointment by brevet in the Army of the United States:

To be lieutenant-colonels by brevet.

Brevet Major Lucius H. Warren, captain in the Thirty-ninth Regiment United States Infantry, for gallant and meritorious services in the siege of Petersburg, Va., to date from July 31, 1867.

Brevet Major May H. Stacey, captain in the Twelfth Regiment United States Infantry, for gallant and efficient services in the engagements on the Weldon Railroad, Va., the 18th, 19th, and 21st of August, 1864, to date from March 13, 2865.

Brevet Major John E. Bennett, first lieutenant in the Twenty eighth Regiment United States Infantry, for gallant and meritorious services in the battle of Nashville, Tenn., to date from March 2, 1867.

Major John R. Lewis, of the Forty-fourth Regiment United States Infantry, for gallant and meritorious services in the battle of White Oak Swamp, Va., to date from March 2, 1867.

Brevet Major James Thompson, captain in the Second Regiment United States Artillery, for gallant and meritorious services in the battle of Chickamauga, Ga., to date from September 19, 1863.

Brevet Major Charles G. Frendenberg, captain in the Forty fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 2, 1867.

Brevet Major William B. Beck, first lieutenant in the Fifth Regiment United States Artillery, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Major Welcome A. Crafts, captain in the Twenty-sixth Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 2, 1867.

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Brevet Major William A. Olmstead, first lieutenant in the Twenty-second Regiment United States Infantry, for gallant and meritorious services in the battle of Hatcher's Run, Va., to date from September 15, 1867.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the officers named in the accompanying communication for appointment by brevet in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *January 10th*, 1868.

WAR DEPARTMENT,
Washington, January 10th, 1868.

SIR: I have the honor to propose for your approbation the following-named officers for appointment by brevet in the Army of the United States:

To be colonels by brevet.

Brevet Lieutenant-Colonel John R. Lewis, major of the Forty-fourth Regiment United States Infantry, for gallant and meritorious services in the battle of the Wilderness, Va., to date from March 2, 1867.

Brevet Lieutenant-Colonel Theophilus F. Rodenbaugh, major of the Forty-second Regiment United States Infantry, for gallant and meritorious services in the battle of Todd's Tavern, Va., to date from March 13, 1865.

Lieutenant-Colonel George A. Woodward, of the Forty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 2, 1867.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the officer named in the accompanying communication for appointment by brevet in the Army of the United States, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WAR DEPARTMENT,
Washington, January 10th, 1868.

SIR: I have the honor to propose for your approbation the following-named officer for appointment by brevet in the Army of the United States:

To be brigadier-general by brevet.

Brevet Colonel Theophilus F. Rodenbough, major of the Forty-second Regiment United States Infantry, for gallant and meritorious services in the battle of Cedar Creek, Va., to date from March 13, 1865.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment by brevet in the Volunteer force, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *January* 10*th*, 1868.

WAR DEPARTMENT,
Washington, January 10*th*, 1868.

SIR: I have the honor to propose for your approbation the following-named person for appointment by brevet in the Volunteer force:

To be first lieutenant by brevet.

Charles Mason, late second lieutenant of the Thirty-eighth Massachusetts Volunteers, for conspicuous gallantry at Winchester, Va., September 19, 1864, to date from March 13, 1865.

I am, sir, with great respect, your obedient servant.

U. S. GRANT,
Secretary of War ad interim.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment by brevet in the Volunteer force, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *January* 10*th*, 1868.

WAR DEPARTMENT,
Washington, January 10*th*, 1868.

SIR: I have the honor to propose for your approbation the following-named persons for appointment by brevet in the Volunteer force:

To be captains by brevet.

John T. Harrison, late assistant surgeon United States Volunteers, for faithful and meritorious services during the war, to date from September 29, 1865.

Timothy W. Challis, late adjutant of the Fourth New Hampshire Volunteers, for gallant and meritorious services in the capture of Fort Harrison, Va., to date from March 13, 1865.

Benjamin F. Fogg, late lieutenant of the Fourth New Hampshire Volunteers, for gallant and meritorious services in the capture of Fort Fisher, N. C., to date from March 13, 1867.

Frank Nolen, late first lieutenant of the Second Delaware Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Matthew Hasbrouck, late first lieutenant of the One hundred and fifty-sixth New York Volunteers, for conspicuous gallantry at Winchester, Va., September 19, 1864, to date from March 13, 1865.

Brevet First Lieutenant Charles Mason, second lieutenant in the Thirty-eighth Massachusetts Volunteers, for conspicuous gallantry at Winchester, Va., September 19, 1864, to date from March 13, 1865.

D. S. Dean, late lieutenant of the Twenty-eighth Iowa Volunteers, for conspicuous gallantry at Winchester, Va., September 19, 1864, to date from March 13, 1865.

Joseph G. Strong, late lieutenant of the Twenty-eighth Iowa Volunteers, for conspicuous gallantry at Winchester, Va., September 19, 1864, to date from March 13, 1865.

John S. Veeder, late first lieutenant of the One hundred and fifty-third New York Volunteers, for conspicuous gallantry at Winchester, Va., September 19, 1864, to date from March 13, 1865.

John E. Morton, late first lieutenant of the First Maine Battery, for conspicuous gallantry at Cedar Creek, Va., October 19, 1864, where mortally wounded, to date from October 19, 1864.

John S. Snow, late first lieutenant of the First Maine Battery, for conspicuous gallantry at Cedar Creek, Va., October 19, 1864, to date from March 13, 1865.

Frederick Chase, late first lieutenant of the First Rhode Island Artillery (Battery D), for conspicuous gallantry and distinguished services at Winchester, Va., September 19, 1864, to date from March 13, 1865.

Frank W. Loring, late first lieutenant of the Thirty-eighth Massachusetts Volunteers, for conspicuous gallantry at Sabine Cross-Roads, La., April 8th, and Pleasant Hill, La., April 9th, 1864, to date from March 13, 1865.

I am, sir, with great respect, your obedient servant,

U. S. GRANT.
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment by brevet in the Volunteer force, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *January 10th*, 1868.

WAR DEPARTMENT,
Washington, January 10th, 1868.

SIR: I have the honor to propose for your approbation the following-named persons for appointment by brevet in the Volunteer force:

To be majors by brevet.

Solon A. Carter, late assistant adjutant-general of Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Captain Timothy W. Challis, late adjutant of the Fourth New Hampshire Volunteers, for gallant and meritorious services in the capture of Fort Fisher, N. C., to date from March 13, 1865.

Sprague S. Hill, late captain of the Fifty-seventh Pennsylvania Volunteers, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 13, 1865.

Ira Perry, jr., late captain of the Fourteenth New Hampshire Volunteers, for gallant action in the battle of the Opequan, September 19, 1864, to date from March 13, 1865.

Edwin B. Dow, late captain of the Sixth Maine Battery, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 13, 1865.

Solon W. Stocking, late captain of the First New York Artillery, for gallant and meritorious services in action at Rappahannock Station, Va., to date from March 13, 1865.

Henry C. Inwood, late captain of the One hundred and sixty-fifth New York Volunteers, for conspicuous gallantry at Cedar Creek, Va., October 19, 1864, to date from March 13, 1865.

Jacob S. Bockee, late captain of the One hundred and fourteenth New York Volunteers, for conspicuous gallantry at Winchester, Va., September 19, 1864, to date from March 13, 1865.

J. W. Carr, late captain of the Twenty-eighth Iowa Volunteers, for conspicuous gallantry at Winchester, Va., September 19, 1864, to date from March 13, 1865.

Edward A. Fiske, late captain of the Thirtieth Massachusetts Volunteers, for distinguished gallantry at Cedar Creek, Va., October 19, 1864, to date from March 13, 1865.

Elijah D. Taft, late captain of the Fifth New York Battery, for conspicuous gallantry at Winchester, Va., September 19, 1864, and at Cedar Creek, Va., October 19, 1864, to date from March 13, 1865.

John A. Lunch, late captain of the Twenty-sixth Massachusetts Volunteers, for conspicuous gallantry at Cedar Creek, Va., October 19, 1864, to date from March 13, 1865.

Amos G. Goodwin, late captain of the Thirteenth Maine Volunteers, for conspicuous gallantry at Winchester, Va., September 19, 1864, to date from March 13, 1865.

Benjamin Nields, late captain of the First Delaware Battery, for conspicuous gallantry at Cane River Crossing, La., April 23, 1864, to date from March 13, 1865.

Brevet Captain Frank W. Loring, late first lieutenant of the Thirty-eighth Massachusetts Volunteers, for conspicuous gallantry at Sabine Cross Roads, La., April 8th, and Pleasant Hill, La., April 9, 1864, to date from March 13, 1865.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment by brevet in the Volunteer force, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *January* 10*th*, 1868.

WAR DEPARTMENT,
Washington, January 10*th*, 1868.

SIR: I have the honor to propose for your approbation the following-named persons for appointment by brevet in the Volunteer force:

To be lieutenant-colonels by brevet.

Israel Moses, late major and assistant adjutant-general of Volunteers, for gallant and meritorious services in the battle of Glendale, Va., to date from March 13, 1865.

Brevet Major Solon A. Carter, late assistant adjutant-general of Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

John W. Mahan, late major of the Ninth Massachusetts Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

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Jerry Sullivan, late major of the First New York Veteran Cavalry, for gallant and meritorious services while leading his men in a charge against the enemy at Castletown, West Virginia, to date from March 4, 1864.

Robert F. Wilkinson, late major of the One hundred and twenty-eighth New York Volunteers, for distinguished gallantry at Winchester, Va., September 19, 1864, and at Cedar Creek, Va., October 19, 1864, to date from March 13, 1865.

Robert McD. Hart, late major of the One hundred and fifty-ninth New York Volunteers, for conspicuous gallantry at Cedar Creek, Va., October 19, 1864, where mortally wounded, to date from October 19, 1864.

Charles Lewis, late major of the One hundred and seventy-sixth New York Volunteers, for distinguished services and conspicuous gallantry at Cedar Creek, Va., October 19, 1864, to date from March 13, 1865.

Charles F. Allen, late major of the Thirty-eighth Massachusetts Volunteers, for conspicuous gallantry at Winchester, Va., September 19, 1864, and at Cedar Creek, Va., October 19, 1864, to date from March 13, 1865.

Brevet Major Henry C. Inwood, late captain of the One hundred and sixty-fifth New York Volunteers, for conspicuous gallantry at Cedar Creek, Va., October 19, 1864, to date from March 13, 1865.

Brevet Major Jacob S. Bockee, late captain of the One hundred and fourteenth New York Volunteers, for conspicuous gallantry at Winchester, Va., September 19, 1864, to date from March 13, 1865.

Brevet Major Benjamin Nields, late captain of the First Delaware Battery, for conspicuous gallantry at Cane River Crossing, La., April 23, 1864, to date from March 13, 1865.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment by brevet in the Volunteer force, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *January 10th*, 1868.

WAR DEPARTMENT,
Washington, January 10th, 1868.

SIR: I have the honor to propose for your approbation the following-named persons for appointment by brevet in the Volunteer force:

To be colonels by brevet.

William Dudley, late lieutenant-colonel of the Nineteenth Iowa Volunteers, for faithful and meritorious services, to date from March 13, 1865.

Patrick T. Hanley, late lieutenant-colonel of the Ninth Massachusetts Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Charles Ross Smith, late lieutenant-colonel of the Sixth Pennsylvania Cavalry, for gallant and meritorious services at the battles of Todd's Tavern, Yellow Tavern, and Hawes' Shop, to date from March 13, 1865.

George W. Randall, late lieutenant-colonel of the Thirtieth Maine Volunteers, for conspicuous bravery at the battle of Pleasant Hill, La., to date from March 13, 1865.

George W. Travers, late lieutenant-colonel of the Forty-sixth New York Volunteers, for gallant and meritorious services in the siege of Petersburg, Va., to date from March 13, 1865.

Frank H. Peck, late lieutenant-colonel of the Twelfth Connecticut Volunteers, for conspicuous gallantry at Winchester, Va., September 19, 1864, where mortally wounded, to date from September 19, 1864.

Willoughby Babcock, late lieutenant-colonel of the Seventy-fifth New York Volunteers, for conspicuous gallantry at Winchester, Va., September 19, 1864, where mortally wounded, to date from September 19, 1864.

John M. Sizer, late lieutenant-colonel of the One hundred and sixteenth New York Volunteers, for distinguished gallantry at Winchester, Va., September 19th, and at Cedar Creek, Va., October 19, 1864, to date from March 13, 1865.

Brevet Lieutenant-Colonel Robert F. Wilkinson, late major of the One hundred and twenty-eighth New York Volunteers, for distinguished gallantry at Winchester, Va., September 19, 1864, and at Cedar Creek, Va., October 19, 1864, to date from March 13, 1865.

Brevet Lieutenant-Colonel Robert McD. Hart, late major of the One hundred and fifty-ninth New York Volunteers, for conspicuous gallantry at Cedar Creek, Va., October 19, 1864, where mortally wounded, to date from October 19, 1864.

Willie M. Rexford, late lieutenant-colonel of the One hundred and thirty-first New York Volunteers, for conspicuous gallantry at Winchester, Va., September 19, 1864, to date from March 13, 1865.

William Waltermire, late lieutenant-colonel of the One hundred and fifty-ninth New York Volunteers, for conspicuous gallantry at Winchester, Va., September 19th, and at Cedar Creek, Va., October 19, 1864, to date from March 13, 1865.

Brevet Lieutenant-Colonel George Butler, late major of the Eleventh Indiana Volunteers, for conspicuous gallantry at Cedar Creek, Va., October 19, 1864, to date from March 13, 1865.

Francis S. Keese, late lieutenant-colonel of the One hundred and twenty-eighth New York Volunteers, for conspicuous gallantry at Winchester, Va., September 19, 1864, to date from March 13, 1865.

Brevet Lieutenant-Colonel Charles Lewis, late major of the One hundred and seventy-sixth New York Volunteers, for distinguished services and conspicuous gallantry at Cedar Creek, Va., October 19, 1864, to date from March 13, 1865.

William W. Darnell, late lieutenant-colonel of the Eleventh Indiana Volunteers, for conspicuous gallantry at Cedar Creek, Va., October 19, 1864, to date from March 13, 1865.

B. W. Wilson, late lieutenant-colonel of the Twenty-eighth Iowa Volunteers, for conspicuous gallantry at Cedar Creek, Va., October 19, 1864, to date from March 13, 1865.

J. Q. Wilds, late lieutenant-colonel of the Twenty-fourth Iowa Volunteers, for conspicuous gallantry at Cedar Creek, Va., October 19, 1864, to date from March 13, 1865.

Alexander J. Kenny, late lieutenant-colonel of the Eighth Indiana Volunteers, for conspicuous gallantry at Cedar Creek, Va., October 19, 1864, to date from March 13, 1865.

William S. Charles, late lieutenant-colonel of the Eighteenth Indiana Volunteers, for conspicuous gallantry at Cedar Creek, Va., October 19, 1864, where mortally wounded, to date from October 19, 1864.

Brevet Lieutenant-Colonel Charles F. Allen, late major of the Thirty-eighth Massachusetts Volunteers, for conspicuous gallantry at Winchester, Va., September 19, 1864, and at Cedar Creek, Va., October 19, 1864, to date from March 13, 1865.

William B. Kinsey, late lieutenant-colonel of the One hundred and sixty-first New York Volunteers, for conspicuous gallantry and eminently distinguished services at Sabine Cross-Roads, La., April 8, 1864, to date from March 13, 1865.

Gouverneur Carr, late lieutenant-colonel of the One hundred and sixty-fifth New York Volunteers, for gallantry at Sabine Cross-Roads, La., April 8, 1864, to date from March 13, 1865.

Marcus T. Holbrook, late lieutenant-colonel of the One hundred and seventy-third New York Volunteers, for conspicuous gallantry at Pleasant Hill, La., April 9, 1864, to date from March 13, 1865.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for appointment by brevet in the Volunteer force, as proposed by the Secretary of War *ad interim.*

ANDREW JOHNSON.

WASHINGTON, *January 10th*, 1868.

WAR DEPARTMENT,
Washington, January 10th, 1868.

SIR: I have the honor to propose for your approbation the following-named persons for appointment by brevet in the Volunteer force:

To be brigadier-generals by brevet.

Erastus Blakeslee, late colonel of the First Connecticut Volunteer Infantry, for gallant conduct at Ashland, Va., June 1, 1864, to date from March 13, 1865.

Brevet Colonel William Dudley, late lieutenant-colonel of the Nineteenth Iowa Volunteers, for faithful and meritorious services, to date from March 13, 1865.

Brevet Colonel J. Burnham Kinsman, late lieutenant colonel and additional aide-de-camp, for gallant and meritorious services while serving with the Army of the James, to date from March 13, 1865.

Brevet Colonel George W. Randall, late lieutenant-colonel of the Thirtieth Maine Volunteers, for gallant services at Monét's Bluff and Cane River, La., to date from March 13, 1865.

Josiah Pickett, late colonel of the Twenty-fifth Massachusetts Volunteers, for gallantry during the war, especially at the battle of Cold Harbor, Va., where severely wounded, to date from June 3, 1864.

Brevet Colonel Frank H. Peck, late lieutenant-colonel of the Twelfth Connecticut Volunteers, for conspicuous gallantry at Winchester, Va., September 19, 1864, when mortally wounded, to date from September 19, 1864.

Brevet Colonel Willoughby Babcock, late lieutenant-colonel of the Seventy-fifth New York Volunteers, for conspicuous gallantry at Winchester, Va., September 19, 1864, when mortally wounded, to date from September 19, 1864.

Brevet Colonel Alfred Neafie, late lieutenant-colonel of the One hundred and fifty-sixth New York Volunteers, for conspicuous gallantry at Winchester, Va., September 19, 1864, to date from March 13, 1865.

Brevet Colonel William B. Kinsey, late lieutenant-colonel of the One hundred and sixty-first New York Volunteers, for conspicuous gallantry and eminently distinguished services at Sabine Cross-Roads, La., April 8, 1864, to date from March 13, 1865.

James Smith, late colonel of the One hundred and twenty-eighth New York Volunteers, for conspicuous gallantry at Cane River Crossing, La., April 23, 1864, to date from March 13, 1865.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

With reference to the convention between the United States and Denmark for the cession of the islands of St. Thomas and St. John, in the West Indies, I transmit a report from the Secretary of State on the subject of the vote of St. Thomas on the question of accepting the cession.

ANDREW JOHNSON.

WASHINGTON, 17*th January*, 1868.

The messages were read.

Ordered, That the nominations of James Rankin and Albert G. Gridley be referred to the Committee on Commerce.

Ordered, That the nominations of Edwin S. McCook and Ewing Searight be referred to the Committee on Finance.

Ordered, That the nomination of Charles H. Belvin be referred to the Committee on Pensions.

Ordered, That the nominations of Guy M. Hulett, Irving W. Stanton, and Leonard B. Ayer be referred to the Committee on Public Lands.

Ordered, That the nominations of Rufus Cheeny, Alfred Kent, and William Heffner be referred to the Committee on Post-Offices and Post-Roads.

Ordered, That the nominations of James W. Sunderland, John B. Babcock and others, Andrew Geddes and others, Lucius H. Warren and others, Lucius H. Warren and others, John R. Lewis and others, Theophilus F. Rodenbough, Charles Mason, John T. Harrison and others, Solon A. Carter and others, Israel Moses and others, William Dudley and others, and Erastus Blakeslee and others be referred to the Committee on Military Affairs and the Militia, and printed in confidence for the use of the Senate.

The message of the President of the United States, relating to the convention between the United States and Denmark for the cession of the islands of St. John and St. Thomas, in the West Indies, was, together with the accompanying report, referred to the Committee on Foreign Relations, and ordered to be printed in confidence for the use of the Senate.

On motion by Mr. Conness,

The Senate proceeded, by unanimous consent, to consider the nomination of James P. Ruggles; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Conness,

Ordered, That the Committee on Public Lands be discharged from the consideration of the nomination of Leonard B. Ayer.

Wherenpon

Resolved, That the Senate advise and cousent to the appointment of Leonard B. Ayer, agreeably to the nomination.

Mr. Wilson, from the Committee ou Military Affairs and the Militia, to whom was referred, the 9th December last, the nomination of William R. Kenney, reported favorably thereou.

Mr. Wilson, from the Committee on Military Affairs and the Militia, to whom was referred, the 9th December last, the nomination of George A. Maguire, reported adversely thereon.

Mr. Pomeroy, from the Committee on Post-Offices aud Post-Roads, to whom was referred, the 20 December last, the uomination of Alfred Buckhart, reported adversely thereon.

The treaty of friendship, commerce, and navigation between the United States and the Republic of Nicaragua, signed at the city of Managua the 21 June, 1867, was read the second time aud considered as in Committee of the Whole; a ıd no amendment being made, it was reported to the Senate.

Mr. Sumuer submitted the following resolution for consideration:

Resolved, That the Senate advise aud cousent to the ratification of the treaty of friendship, commerce, and uavigatiou between the United States and the Republic of Nicaragua, signed at the city of Managua the 20 June, 1867.

The Senate, by uuanimous consent, proceeded to consider the said resolution; and the question being taken,

It was determined nnanimously in the affirmative.

So the resolution was agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

The treaty of commerce between the United States of America and Her Majesty the Queen of Madagascar, signed at Antananarivo the 14 February, 1867, was read the second time and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Mr. Sumuer submitted the following resolution for consideration:

Resolved, That the Senate advise and conseut to the ratification of the treaty of commerce between the United States of America aud Her Majesty the Queen of Madagascar, signed at Antananarivo the 14 Febrnary, 1867.

The Senate, by nnauimous consent, proceeded to cousider the said resolutiou; and the question being taken,

It was determined nnanimonsly in the affirmative.

So the resolution was agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

The Senate proceeded to consider, as in Committee of the Whole, the resolutiou reported from the Committee on Foreigu Relations the 17th December last, "relating to a proposed modification of the existing treaty between this Goverument and that of Chiua;" aud uo ameudment beiug made, it was reported to the Senate.

And the question being taken,

It was determined uuauimonsly iu the affirmative.

So the resolution was agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

TUESDAY, JANUARY 28, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate James H. Chamberlain to be assessor of internal revenue for the 5th district of Maine, in place of Nathaniel H. Joy, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 23, 1868.

To the Senate of the United States:

I nominate David H. Abell to be assessor of internal revenue for the 25th district of New York, in place of Lewis Peck, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 22, 1868.

To the Senate of the United States:

I nominate Joel B. McCamant to be assessor of internal revenue for the tenth district of Pennsylvania, in place of Jacob Carmony, confirmed, but whose commission has been withheld.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 21, 1868.

To the Senate of the United States:

I nominate Henry Miller to be assessor of internal revenue for the fourth district of Ohio, in place of James H. Hart, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 21, 1868.

To the Senate of the United States:

I nominate H. G. Lohse to be collector of customs for the district of Georgetown, in the State of South Carolina, in place of Robert R. Congdon, to be removed for malfeasance in office.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 22, 1868.

To the Senate of the United States:

I nominate George A. Rawlings to be deputy postmaster at Old Point Comfort, in the county of Elizabeth City and State of Va., in place of John B. Maher, sr., deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 23, 1868.

To the Senate of the United States:

I nominate John S. Hoolihan to be deputy postmaster at Honesdale, in the county of Wayne and State of Penn'a, in place of Rob't A. Smith, whose commission expires 18th January, 1868.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 23, 1868.

To the Senate of the United States:

I nominate Daniel Sigler, of Indiana, to be register of the land office at Natchitoches, Louisiana.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 23, 1868.

To the Senate of the United States:

I nominate Ambrose Campbell, of Michigan, to be register of the land office at Marquette, Michigan, vice Joseph W. Edwards, removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 23, 1868.

To the Senate of the United States:

I nominate William H. Townsend, of Rhode Island, to be pension agent at Providence, Rhode Island, vice William C. Townsend, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 23, 1868.

To the Senate of the United States:

I nominate Solomon P. McCurdy to be chief-justice of the supreme court of the Territory of Utah, in place of John Titus, whose term of office has expired.

I nominate Enos D. Hoge to be associate justice of the supreme court of the Territory of Utah, in the place of Solomon P. McCurdy, appointed chief justice.

ANDREW JOHNSON.

EXECUTIVE MANSION, *January* 23, 1868.

To the Senate of the United States:

I nominate John B. Pennington to be attorney of the United States for the district of Delaware, in the place of John L. Pratt, resigned.

ANDREW JOHNSON.

EXECUTIVE MANSION, *January 23d*, 1868.

To the Senate of the United States:

I nominate John M. Johnson to be marshal of the United States for the district of Virginia, in the place of John Underwood, whose term of office has expired.

ANDREW JOHNSON.

EXECUTIVE MANSION, *January* 23, 1868.

To the Senate of the United States:

I nominate Leslie Combs to be marshal of the United States for the district of Kentucky, in the place of William A. Merriwether, whose term of office will expire February 3d, 1868.

ANDREW JOHNSON.

EXECUTIVE MANSION, *January* 23, 1868.

To the Senate of the United States:

I nominate Dwight Bannister, of Ohio, to be a paymaster in the Army of the United States, vice Henry O. Brigham, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 23, 1868.

To the Senate of the United States:

I nominate William F. Turner to be chief justice of the supreme court of the Territory of Arizona, his previous commission as said chief justice having expired.

ANDREW JOHNSON.

EXECUTIVE MANSION, *January* 24, 1868.

To the Senate of the United States:

I nominate William S. Kelly to be deputy postmaster at Greensboro', in the county of Hale and State of Ala., in place of Joseph C. Simonds, failed to bond.

ANDREW JOHNSON.

WASHINGTON, D. C., *Jan. 24th*, 1868.

To the Senate of the United States:

I nominate Uriah Mulliken to be deputy postmaster at Bloomington, in the county of Monroe and State of Indiana, to fill vacancy occasioned by the rejection of Wm. D. Voss.

ANDREW JOHNSON.

WASHINGTON, D. C., *January 24th*, 1868.

To the Senate of the United States:

I nominate Beale A. Warfield to be deputy postmaster at Fredericksburg, in the county of Spottsylvania and State of Va., in place of Charles Williams, removed for cause.

ANDREW JOHNSON.

WASHINGTON, D. C., *Jan.* 24, 1868.

To the Senate of the United States:

I nominate P. W. Strader to be assessor of internal revenue for the 1st district of Ohio, to fill a vacancy existing since the decease of Bassett Langdon.

ANDREW JOHNSON.

WASHINGTON, D. C., *Jan'y 23d*, 1868.

To the Senate of the United States:

I nominate William G. Brock to be a justice of the peace in and for the county of Washington, District of Columbia.

ANDREW JOHNSON.

EXECUTIVE MANSION, *January* 24, 1868.

To the Senate of the United States:

I nominate William D. Bishop, of Connecticut, to be Commissioner of Patents, vice Thomas C. Streaker, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *January 28th*, 1868.

To the Senate of the United States:

I nominate Luther E. Webb to be superintendent of Indians affairs for the Territory of New Mexico, vice A. B. Norton, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 28, 1868.

To the Senate of the United States:

I nominate Samuel S. Smead to be assessor of internal revenue for the 4th district of Wisconsin, to fill a vacancy existing since the close of the second session 39th Congress.

ANDREW JOHNSON.

WASHINGTON, D. C., *January 25th*, 1868.

To the Senate of the United States:

I nominate Thos. D. Buskirk to be assessor of internal revenue for the 2d district of Indiana, in place of William D. Fouts, rejected.

ANDREW JOHNSON.

WASHINGTON, D. C., *January 25th*, 1868.

To the Senate of the United States:

I nominate Henry G. Worthington, of Nebraska, to be judge of the United States district court for the district of Nebraska.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 28, 1868.

To the Senate of the United States:

I nominate Edgar H. Bates, Charles Walter, John S. Gallaher, and James A. Kennedy to be justices of the peace in and for the county of Washington, District of Columbia, at the expiration of their present respective terms of office.

ANDREW JOHNSON.

EXECUTIVE MANSION, *January* 28, 1868.

To the Senate of the United States:

I nominate J. Ross Browne, of California, to be envoy extraordinary and minister plenipotentiary to China, in the place of Anson Burlingame, who has accepted and entered upon a foreign mission in the service of the Emperor of China.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 28, 1868.

To the Senate of the United States:

I nominate Hezekiah G. Wells, of Michigan, to be consul of the United States at Manchester, vice Henry W. Lord, resigned.

ANDREW JOHNSON.

WASHINGTON, *28th January*, 1868.

To the Senate of the United States:

I nominate Robert L. Matthews, of Illinois, to be consul of the United States at Valencia, vice James B. Andrews, resigned.

ANDREW JOHNSON.

WASHINGTON, *28th January*, 1868.

To the Senate of the United States:

I nominate Francis Price, of New Jersey, to be consul-general of the United States at Havana, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, *28th January*, 1868.

To the Senate of the United States:

I withdraw the nomination of H. G. Lohse to be collector of customs for the district of Georgetown, South Carolina, submitted to the Senate on the 23d instant.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 24, 1868.

To the Senate of the United States:

I withdraw the nomination of Edwin S. McCook to be collector of internal revenue for the eighth district of Illinois, submitted to the Senate on the 20th instant.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 24, 1868.

To the Senate of the United States:

I transmit, for the consideration of the Senate, with a view to its ratification, an additional article to the treaty of navigation and commerce with Russia of the 18th of December, 1832, which additional article was concluded and signed between the plenipotentiaries of the two Governments at Washington on the 27th instant.

ANDREW JOHNSON.

WASHINGTON, *January* 28, 1868.

The messages were read.

Ordered, That the nominations of James H. Chamberlain, David H. Abell, Joel B. McCamant, Henry Miller, P. W. Strader, Sam'l S. Smead, and Thomas D. Buskirk be referred to the Committee on Finance.

Ordered, That the nominations of George A. Rawlings, John S. Hoolihan, William S. Kelly, Uriah Mulliken, and Beale A. Warfield be referred to the Committee on Post-Offices and Post-Roads.

Ordered, That the nominations of Daniel Siegler and Ambrose Campbell be referred to the Committee on Public Lands.

Ordered, That the nomination of William H. Townsend be referred to the Committee on Pensions.

Ordered, That the nominations of Solomon P. McCurdy and Enos D. Hoge, John B. Pennington, John M. Johnson, Leslie Combs, William F. Turner, and Henry G. Worthington be referred to the Committee on the Judiciary.

Ordered, That the nomination of Dwight Bannister be referred to the Committee on Military Affairs and the Militia.

Ordered, That the nomination of William G. Brock and Edgar H. Bates and others be referred to the Committee on the District of Columbia

Ordered, That the nomination of William D. Bishop be referred to the Committee on Patents and the Patent Office.

Ordered, That the nomination of Luther E. Webb be referred to the Committee on Indian Affairs.

Ordered, That the nomination of J. Ross Browne be referred to the Committee on Foreign Relations.

Ordered, That the nominations of Hezekiah G. Wells, Robert L. Matthews, and Francis Price be referred to the Committee on Commerce.

The additional article to the treaty of navigation and commerce with Russia, of the 18 December, 1832, was read the first time.

On motion by Mr. Sumner,

Ordered, That it be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

Mr. Chandler, from the Committee on Commerce, to whom was referred this day the nomination of Hezekiah G. Wells, reported favorably thereon.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Sumner, from the Committee on Foreign Relations, to whom were referred, the 11th December last, the nomination of Gideon H. Hollister, and the 13th instant that of S. S. Cox, reported favorably thereon.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 13 July, 1867, the convention for commercial reciprocity between the United States and his majesty the King of the Hawaiian Islands, concluded at the city of San Francisco the 21st May, 1867, reported the same without amendment.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 20 December last, the agreement between the diplomatic representatives of certain foreign powers in Japan, including the minister of the United States and the plenipotentiaries on the part of the Japanse Government relative to the settlement of Yokahama, reported the same without amendment.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom were referred, the 8th instant, the nominations of John Robertson and Joseph S. Collins, the 16th instant that of Fanny Vandegrift, and the 20th instant that of Alfred Kent, reported favorably thereon.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom were referred, the 20th instant, the nomination of Rufus Cheeney, reported adversely thereon.

Mr. Van Winkle, from the Committee on Pensions, to whom was referred, the 20th instant, the nomination of Charles H. Belvin, reported favorably thereon.

WEDNESDAY, FEBRUARY 5, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate T. Scott Stewart, of Pennsylvania, to be consul of the United States at Osaca and Hiogo.

ANDREW JOHNSON.

WASHINGTON, *30th January*, 1868.

To the Senate of the United States:

I nominate Harrison Phœbus to be deputy postmaster at Old Point Comfort, in the county of Elizabeth City and State of Virginia, in place of George A. Rawlings, whose nomination is hereby withdrawn.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 28, 1868.

To the Senate of the United States:

I nominate Mary Eckhert to be deputy postmaster at Milton, in the county of Northumberland and State of Pennsylvania, in place of Daniel Burnman, rejected by the Senate, 9th Jan'y, 1868.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 28, 1868.

To the Senate of the United States:

I nominate John B. Peyton to be deputy postmaster at Russellville, in the county of Logan and State of Kentucky, in place of Elias Porter, removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 28, 1868.

To the Senate of the United States:

I nominate George J. Stubblefield to be attorney of the United States for the middle district of Tennessee, in the place of Horace H. Harrison, resigned.

ANDREW JOHNSON.

EXECUTIVE MANSION, *January* 30, 1868.

To the Senate of the United States:

I nominate M. A. Shaffenburg to be marshal of the United States for the Territory of Colorado, in the place of U. B. Holloway, resigned.

ANDREW JOHNSON.

EXECUTIVE MANSION, *January* 30, 1868.

To the Senate of the United States:

I nominate Robert H. Kerr to be marshal of the United States for the western district of Pennsylvania, in the place of Thomas A. Rowley, removed.

ANDREW JOHNSON.

EXECUTIVE MANSION, *January* 30, 1868.

To the Senate of the United States:

I nominate Pardon Dodds, of the Territory of Utah, to be an Indian agent in the Territory of Utah, vice Dudley W. Rhodes, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 30, 1868.

To the Senate of the United States:

I nominate Lewis J. Kirk to be collector of internal revenue for the 5th district of New York, in place of Joseph Hoxie, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *January*, 29, 1868.

To the Senate of the United States:

I nominate Moses N. Wisewell to be Commissioner of Internal Revenue in place of E. A. Rollins, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 3, 1868.

To the Senate of the United States:

I nominate William C. Wilson to be deputy postmaster at Lafayette, in the county of Tippecanoe and State of Indiana, in place of Daniel Mace, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *Feb'y* 3, 1868.

To the Senate of the United States:

I nominate John A. Cotton to be deputy postmaster at Belvidere, in the county of Boone and State of Illinois, in place of J. N. Brockway, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *Feb'y* 3, 1868.

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To the Senate of the United States:

I nominate William H. Longwell to be deputy postmaster at Pit Hole City, in the county of Venango and State of Penna., in place of Sanford S. Hill.

ANDREW JOHNSON.

WASHINGTON, D. C., *Feb'y* 3, 1868.

To the Senate of the United States:

I nominate James Cull and Charles P. Warnall to be justices of the peace in and for the county of Washington, District of Columbia, on the expiration of their present respective terms of office.

ANDREW JOHNSON.

EXECUTIVE MANSION, *February* 3, 1868.

To the Senate of the United States:

I nominate Samuel Comfort to be deputy postmaster at Lewistown, in the county of Mifflin and State of Penn'a, in place of Emanuel C. Hamilton, removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 5, 1868.

To the Senate of the United States:

I nominate Stephen W. Downey to be assessor of internal revenue for the second district of West Virginia, in the place of Thomas Brown, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *February 5th*, 1868.

To the Senate of the United States:

I nominate T. W. Scott, of Tennessee, to be consul of the United States at Matamoros vice Minns B. Marshall, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *5th February*, 1868.

To the Senate of the United States:

I nominate Alexander Willard, of California, to be consul of the United States at Guaymas, vice Edward Connor, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *5th February*, 1868.

To the Senate of the United States:

I nominate Orrin J. Rose, of Illinois, to be consul of the United States, at Schwerin, vice George D. Sidman, resigned.

ANDREW JOHNSON.

WASHINGTON, *5th February*, 1868.

To the Senate of the United States:

I nominate John S. Fiske, of New York, to be consul of the United States at Leith, vice David Gould, deceased.

ANDREW JOHNSON.

WASHINGTON, *5th February*, 1868.

The messages were read.

Ordered, That the nominations of T. Scott Stewart, T. W. Scott, Alexander Willard, Orrin J. Rose, and John S. Fiske be referred to the Committee on Commerce.

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Ordered, That the nominations of Harrison Phœbus, Mary Eckhert, John B. Peyton, William C. Wilson, John A. Cotton, William H. Longwell, and Samuel Comfort be referred to the Committee on Post-Offices and Post-Roads.

Ordered, That the nominations of George J. Stubblefield, M. A. Shaffenburg, and Robert H. Kerr be referred to the Committee on the Judiciary.

Ordered, That the nomination of Pardon Dodds be referred to the Committee on Indian Affairs.

Ordered, That the nominations of Lewis J. Kirk, Moses N. Wisewell, and Stephen W. Downey be referred to the Committee on Finance.

Ordered, That the nominations of James Cull and Charles P. Warnall be referred to the Committee on the District of Columbia.

Mr. Sherman presented sundry papers relating to the confirmation of the nomination of S. S. Cox.

Mr. Frelinghuysen, from the Committee on the Judiciary, to whom was referred, the 28 January last, the nomination of John B. Pennington, reported favorably thereon.

Mr. Morgan, from the Committee on Finance, to whom was referred, the 10th January last, the nomination of William J. Britton, reported favorably thereon.

Mr. Pomeroy, from the Committee on Public Lands, to whom were referred, the 10th January last, the nomination of Charles Mundee, the 16 January last that of Felix G. Clarke; the 20th January last those of Guy M. Hulett and Irving W. Stanton, and the 28th January last those of Daniel Seigler and Ambrose Campbell, reported favorably thereon.

Mr. Willey, from the Committee on Patents and the Patent Office to whom was referred, the 28th of Jan., the nomination of William D. Bishop, reported adversely thereon.

Mr. Stewart, from the Committee on the Judiciary, to whom was referred, the 28th Jan., the nomination of William T. Turner, reported favorably thereon.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Van Winkle, from the Committee on Pensions, to whom was referred, the 28th January last, the nomination of William H. Townsend, reported favorably thereon.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Trumbull, from the Committee on the Judiciary, to whom were referred, the 28th January last, the nominations of John M. Johnson and Leslie Combs, reported adversely thereon.

Mr. Morrill, from the Committee on Finance, to whom was referred, the 10th January last, the nomination of Charles G. Green, reported adversely thereon.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom was referred, this day, the nomination of William C. Wilson, reported favorably thereon.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom were referred, the 20th December last the nominations of F. T.

Sherman and William A. Trower; the 8th January last that of William G. Powers, and the 28th January last that of William S. Kelly, reported favorably thereon.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom were referred, the 20th December last, the nomination of David H. Johnson; the 20th January that of Rufus Cheeny, and the 28 January last that of John S. Hoolihan, reported adversely thereon.

Mr. Chandler, from the Committee on Commerce, to whom were referred, the 4th December last, the nomination of James W. Hancock, and the 20th January last that of Albert G. Gridley, reported favorably thereon.

On motion by Mr. Howard,

Ordered, That the injunction of secrecy be removed from the message of the President of the United States of the 12 December last, relating to the suspension of Edwin M. Stanton from the office of Secretary of War.

On motion by Mr. Henderson,

The Senate proceeded to consider the motion submitted by Mr. Morrill, of Maine, the 11th January last, that the resolution that the Senate do not advise and consent to the appointment of Lemuel D. Evans be reconsidered.

The question being taken, it was determined in the affirmative.

So the resolution was reconsidered.

The question recurring, Will the Senate advise and consent to the appointment of Lemuel D. Evans?

On motion by Mr. Henderson,

Ordered, That the said nomination be recommitted to the Committee on Finance.

The Senate proceeded to consider the nominations of William R. Kinney, Gideon H. Hollister, John Robertson, Fanny Vandegrift, Charles H. Belvin, and Alfred Kent; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate proceeded to consider the nominations of Alfred Buckhart and James M. Nibling; and

Resolved, That the Senate do not advise and consent to the appointment of the said persons.

Mr. Buckalew, from the Committee on Territories, to whom was referred, the 20 December, the message of the President of the United States relative to the suspension of David H. Ballard, governor of the Territory of Idaho, reported the following resolution for consideration:

Resolved, as the sense of the Senate, That there was no such suspension of David H. Ballard, governor of the Territory of Idaho, in the month of August last, as requires the case to be submitted for the action of the Senate.

FRIDAY, FEBRUARY 7, 1868.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom were referred, the 5th instant, the nominations of Mary Eckhert and John A. Cotton, reported favorably thereon.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom were referred, the 5th instant, the nominations of John B. Peyton and Samuel Comfort, reported adversely thereon.

Mr. Morgan, from the Committee on Commerce, to whom were referred, the 11 December last, the nominations of John F. Flint, Edward

A. Wright, and J. C. Muthe, and the 5th instant that of John S. Fiske, reported favorably thereon.

Mr. Chandler, from the Committee on Commerce, to whom were referred, the 16th December, the nomination of E. J. Morgan and Ethan Allen, and the 8 January last that of Philip B. Fouke, and the 5th instant that of Orrin J. Rose, reported favorably thereon.

Mr. Sherman, from the Committee on Finance, to whom were referred, the 28 January last, the nominations of Henry Miller and Thomas D. Buskirk, reported favorably thereon.

Mr. Harlan, from the Committee on the District of Columbia, to whom were referred, the 4 December last, the nomination of Edwin J. Clopper, the 9th December last that of E. L. Corbin, and the 28 January last those of William G. Brock, James A. Kennedy, John S. Gallaher, and Edgar H. Bates, reported favorably thereon.

MONDAY, FEBRUARY 10, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Captain Joseph F. Green to be a commodore in the Navy on the active list, from the 2d December, 1867, vice Commodore Cicero Price, retired; and Commander George H. Cooper to be a captain in the Navy on the active list, from the 2d December, 1867, vice Captain J. F. Green, nominated for promotion.

ANDREW JOHNSON.

WASHINGTON CITY, *5th February*, 1868.

To the Senate of the United States:

I nominate Charles K. Tuckerman, of New York, to be minister resident of the United States at Greece.

ANDREW JOHNSON.

WASHINGTON, *10th February*, 1868.

To the Senate of the United States:

I nominate John W. Menzies to be collector of internal revenue for the 6th district of Kentucky, in place of James P. Hudnall, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *February 5th*, 1868.

To the Senate of the United States:

I transmit a report from the Secretary of State, with the accompanying papers, on the subject of a transfer of the Peninsula and Bay of Samana to the United States. The advice and consent of the Senate to the transfer, upon the terms proposed in the draft of a convention with the Dominican Republic, are requested.

ANDREW JOHNSON.

WASHINGTON, 10 *February*, 1868.

The messages were read.

Ordered, That the nominations of Joseph F. Green and George H. Cooper be referred to the Committee on Naval Affairs.

Ordered, That the nomination of Charles K. Tuckerman be referred to the Committee on Foreign Relations.

Ordered, That the nomination of John W. Menzies be referred to the Committee on Finance.

Ordered, That the message of the President of the United States, together with the accompanying report from the Secretary of State relative to a transfer to the United States of the Peninsula and Bay of Samana, be referred to the Committee on Foreign Relations, and printed in confidence for the use of the Senate.

Mr. Trumbull, from the Committee on the Judiciary, to whom was referred, the 28 January last, the nomination of Henry G. Worthington, reported favorably thereon.

Mr. Sherman, from the Committee on Finance, to whom was referred, the 28 January last, the nomination of P. W. Strader, reported adversely thereon.

Mr. Henderson, from the Committee on Indian Affairs, to whom were referred, the 28 January last, the nomination of Luther E. Webb, and the 5th instant that of Pardon Dodds, reported favorably thereon.

Mr. Chandler, from the Committee on Commerce, to whom was referred, the 5th instant, the nomination of T. Scott Stewart, reported favorably thereon.

Mr. Pomeroy, from the Committee on Public Lands, to whom was referred, the 8 January last, the nomination of James W. Henderson, reported favorably thereon.

Mr. Wilson, from the Committee on Military Affairs and the Militia, to whom were referred, the 9th December last, the nominations of Theodore A. Boice and others, Charles Parker and others (excepting Sydney W. Taylor, Wm. P. Vauness, Charles G. Fisher, Edward G. Fast, Thomas V. Deary, Robert H. Patterson, Clermont L. Best, jr., and Frank M. Gibson, who are not reported), Dudley Seward and others, Charles Mackin, jr., and others, George P. Van Wyck and others, Richard S. Vickery, Charles A. Booth, and others (excepting Charles M. Bailey, Wharton White, Richard H. Rousseau, Charles R. Hinton, Cecil R. Banks, Lewis A. Arnold, John K. Waring, William Bosthwick, Alexander M. Wetherill, Philip Reade, David Q. Rousseau, Alfred B. Bache, Lewis Warrington, William C. Bayless, Luther M. Longshaw, Oscar Eltiug, James H. Whitten, Charles H. Pettit, Jacob H. Shellabarger, Edward Laid, George F. Mason, Donald McIntosh, J. Edwin Leas, John H. Todd, Robert S. Fletcher, Dominick Lynch, jr., Wm. L. Sherwood, Frank C. Morehead, F. Beres Taylor, Hayden De Lany, Charles M. Shepherd, George Taylor, Richard T. Jacob, jr., Wm. S. Alexander, Garland N. Whistler, Henry Lasonby, Pendleton Hunter, James McD. Stembel, George B. McDermott, John M. Walton, Wm. Russell, jr., and Albert J. Garrett, who are not reported), Louis J. Schonborn, A. Lee Myer, James Calhoun, Charles S. Hudson, and others, G. H. T. Ferdinand Axt, and Peter Moffatt, reported favorably thereon.

The Senate proceeded to consider the nominations of William J. Britton, Felix G. Clarke, Guy M. Hulett, Daniel Siegler, William A. Trower, Wm. G. Powers, William S. Kelly, Charles Mundee, Irving W. Stanton, Ambrose Campbell, and James W. Hancock; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate proceeded to consider the nominations of Rufus Cheeny and John S. Hoolihan; and

Resolved, That the Senate do not advise and consent to the appointment of the said persons.

The Senate proceeded, by unanimous consent, to consider the nominations of Luther E. Webb, Pardon Dodds, James W. Henderson, and T. Scott Stewart; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to the nominations respectively.

The Senate proceeded, by unanimous consent, to consider the appointment of P. W. Strader; and

Resolved, That the Senate do not advise and consent to his appointment.

TUESDAY, FEBRUARY 11, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate William Fithian to be collector of internal revenue for the seventh district of Illinois, in place of W. T. Cunningham, to be removed.

ANDREW JOHNSON.

WASHINGTON, *February* 10, 1868.

To the Senate of the United States:

I nominate Henry F. Heriot to be collector of customs for the district of Georgetown, in the State of South Carolina, in place of Robert R. Congdon, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *February 10th*, 1868.

To the Senate of the United States:

I nominate Charles Robinson, of Vermont, to be consul of the United States at Quebec, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, 11*th February*, 1868.

To the Senate of the United States:

I submit to the Senate, for its consideration with a view to ratification, the accompanying consular convention between the United States and the Government of His Majesty the King of Italy.

ANDREW JOHNSON.

WASHINGTON, *February* 10, 1868.

The messages were read.

Ordered, That the nomination of William Fithian be referred to the Committee on Finance.

Ordered, That the nominations of Henry F. Heriot and Charles Robinson be referred to the Committee on Commerce.

The consular convention between the United States and the King of Italy, done at Washington, D. C., the 8 February, 1868, was read the first time.

On motion by Mr. Sumner,

Ordered, That the said convention be referred to the Committee on Foreign Relations, and, together with the message, printed in confidence for the use of the Senate.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 10th instant, the nomination of Charles K. Tuckerman, reported favorably thereon.

Mr. Trumbull, from the Committee on the Judiciary, to whom was referred, the 5th instant, the nomination of M. A. Shaffenburg, reported favorably thereon.

Mr. Trumbull, from the Committee on the Judiciary, to whom was referred, the 5th instant, the nomination of George J. Stubblefield, reported adversely thereon.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 5 February, the nomination of William H. Longwell, reported favorably thereon.

Mr. Pomeroy, from the Committee on Public Lands, to whom was referred, the 10 January last, the nomination of A. Warner Rose, reported adversely thereon.

Mr. Morgan submitted the following motion for consideration: That the resolution that the Senate advise and consent to the appointment of T. Scott Stewart be reconsidered.

The Senate proceeded to consider the nominations of George A. Magnire, William D. Bishop, John M. Johnson, and Leslie Combs; and

Resolved, That the Senate do not advise and consent to the appointment of the said persons.

The Senate proceeded to consider the nomination of John B. Pennington; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

WEDNESDAY, FEBRUARY 12, 1868.

Mr. Sumner, from the Committee on Foreign Relations, submitted a letter, addressed to him by the Secretary of State, dated January 27, 1868, communicating "a copy of the correspondence upon the subject of the convention with Denmark for the cession of the islands of St. Thomas and St. John," which, together with said correspondence, was ordered to be printed in confidence for the use of the Senate.

Mr. Williams, from the Committee on Finance, reported the following resolution for consideration:

Resolved, That the Senate do not concur in the suspension of Chs. H. Hopkins, assessor of internal revenue 1st district Georgia.

On motion by Mr. Cameron,

The Senate proceeded to consider the nomination of Mary Eckhert; and

Resolved, That the Senate advise and consent to her appointment, agreeably to the nomination.

The Senate proceeded to consider the nomination of Noah L. Jeffries; and

The question being, Will the Senate advise and consent to his appointment?

After debate,

It was determined in the affirmative, { Yeas 24
Nays 18

On motion by Mr. Sumner,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Buckalew, Cameron, Cattell, Conness, Corbett, Davis, Dixon, Doolittle, Ferry, Henderson, Hendricks, Morrill of Vt., Morton, Nye, Patterson of Tenn., Pomeroy, Ramsey, Ross, Saulsbury, Sherman, Tipton, Van Winkle, Willey, Williams.

Those who voted in the negative are,

Messrs. Cole, Conkling, Cragin, Drake, Edmunds, Fessenden, Frelinghuysen, Harlan, Howard, Howe, Morgan, Stewart, Sumner, Thayer, Trumbull, Wade, Wilson, Yates.

So it was

Resolved, That the Senate advise and consent to the appointment of Noah L. Jeffries, agreeably to the nomination.

FRIDAY, FEBRUARY 14, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Hazard Stevens to be collector of internal revenue for the district of Washington Territory, in place of Philip D. Moore, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 12, 1868.

To the Senate of the United States:

I nominate Moses S. Foote to be collector of internal revenue for the first district of Alabama, vice Francis W. Kellogg, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 12*th*, 1868.

To the Senate of the United States:

I nominate Charles N. Tuttle to be assessor of internal revenue 24th district of New York, in place of Jos. W. Gates, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 12, 1868.

To the Senate of the United States:

I nominate Horace G. Storms to be assessor of internal revenue for the first district of Ohio, to fill a vacancy existing since the close of the second session of the Thirty-ninth Congress.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 13*th*, 1868.

To the Senate of the United States:

I nominate Charles P. Webster to be a justice of the peace in and for the county of Washington, District of Columbia, on the expiration of his present term of office.

ANDREW JOHNSON.

EXECUTIVE MANSION, *February* 13, 1868.

To the Senate of the United States:

I nominate William B. Jones, of Indiana, to be an assistant surgeon in the U. S. Navy, to fill a vacancy in that grade.

ANDREW JOHNSON.

WASHINGTON CITY, 12*th February*, 1868.

To the Senate of the United States:

I nominate George Otis Allen, of Massachusetts, to be an assistant surgeon in the United States Navy, to fill a vacancy in that grade.

ANDREW JOHNSON.

WASHINGTON CITY, 11 *February*, 1868.

To the Senate of the United States:

I nominate Henry Gliem to be deputy postmaster at Hazleton, in the county of Luzerne and State of Penna., in place of Jacob E. Babcock, removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 13, 1868.

To the Senate of the United States:

I nominate Lieutenant-General William T. Sherman to be General by brevet in the Army of the United States, for distinguished courage, skill, and ability displayed during the war of the rebellion.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 13, 1868.

The messages were read.

The Senate proceeded, by unanimous consent, to consider the nomination of Hazard Stevens; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

The Senate proceeded, by unanimous consent, to consider the nomination of Horace G. Storms; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Ordered, That the nominations of Moses S. Foot and Charles W. Tuttle be referred to the Committee on Finance.

Ordered, That the nomination of Charles P. Webster be referred to the Committee on the District of Columbia.

Ordered, That the nominations of Wm. B. Jones and George Otis Allen be referred to the Committee on Naval Affairs.

Ordered, That the nomination of Henry Gliem be referred to the Committee on Post-Offices and Post-Roads.

Ordered, That the nomination of William T. Sherman be referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Pomeroy,

Ordered, That the Secretary request the President of the United States to return to the Senate the resolution that the Senate advise and consent to the appointment of Noah L. Jeffries.

Mr. Pomeroy submitted the following order for consideration:

That the resolution that the Senate advise and consent to the appointment of Noah L. Jeffries be reconsidered.

Mr. Chandler, from the Committee on Commerce, to whom were referred, the 4th December last, the nomination of John J. Godfrey, the 9th December last that of William L Stanford, the 28 January last that of Robert L. Matthews, and the 11th February last that of Henry L. Heriot, reported favorably thereon.

Mr. Chandler, from the Committee on Commerce, to whom was referred, the 16th January last, the nomination of Killian V. Whaley, reported adversely thereon.

The Senate proceeded to consider the nominations of John A. Cotton, Alfred G. Gridley, John F. Flint, Edward A. Wright, John S. Fiske, E. J. Morgan, Ethan Allen, Orrin J. Rose, M. A. Shaffenburg, William H. Longwell, Abel F. Mechem, and others (excepting James A. Clifford and Albert J. Garrett, who were not reported), Nathan A. M. Dudley, Ely S. Parker, and others, Thomas M. McDonald and others, Tenedor Ten Eyck and others, David A. Russell and others (excepting George W. Wallace,

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who was not reported), to be colonels by brevet; David A. Russell and others (excepting George W. Wallace, who was not reported), to be brigadier-generals by brevet; David A. Russell and others (excepting James B. Fry, who was not reported), to be major-generals; Henry W. Janes and others, John R. Bailey and Edward C. Moore, Edward D. Parker and others, Frederick De Peyster to be captain by brevet; Frederick De Peyster to be first lieutenant by brevet; Frank M. Kelly and others, Daniel M. Page and others, Elbert Hegeman and others, Edward M. Payne and others, Robert Thompson and others to be colonels by brevet; Robert Thompson and others to be brigadier genls. by brevet; John P. C. Shanks and others, Charles Bird and others to be first lieutenants by brevet; Joseph H. Hayes and others, Charles Bird and others to be majors by brevet; Charles Bird and others to be lieutenant-colonels by brevet; John M. Wilson and Samuel B. M. Young, Richard B. Foster and others, William W. Bell and others, Job C. Hedges and others to be lieutenant-colonels by brevet; Job C. Hedges to be colonel by brevet; Solomon S. Matthews, Nicholas L. Anderson and others to be brigadier-general by brevet; Nicholas L. Anderson to be major-general by brevet; Theodore A. Boice and others, Charles Parker and others (excepting John Simpson, Sydney W. Taylor, William P. Vanness, Charles G. Fisher. Edward G. Fasr, Thomas V. Deary, Robert H. Patterson, Clermont L. Best. jr., and Frank M. Gibson, who were not reported), Dudley Seward and others, Charles Mackim, jr., and others, George P. Van Wyck and others, Richard S. Vickery, Charles A. Booth and others (excepting Charles M. Bailey, Wharton White, Richard H. Ronssean, Charles R. Hinton, Cecil R. Banks, Lewis A. Arnold, John K. Waring, William Bosthwick, Alexander M. Wetherill, Philip Reade, David Q. Ronsseau, Alfred B. Bache, Lewis Warrington, William C. Bayless, Luther M. Longshaw, Oscar Elting, James H. Whitten, Charles H. Pettit, Jacob H. Shellabarger, Edward Law, George F. Mason, Donald McIntosh, J. Edwin Leas, John H. Todd, Robert S. Fletcher, Dominick Lynch, jr., William L. Sherwood, Frank C. Morehead, F. Beres Taylor, Hayden De Lany, Charles M. Shepherd, George Taylor, Richard T. Jacob, jr., William S. Alexander, Garland N. Whistler, Henry Lazonby, Pendleton Hunter, James McB. Stembel, George B. McDermott, John M. Walton, William Russell, jr., and Albert J. Garrett, who were not reported), Lonis J. Schonborn, A. Lee Myer, James Calhonn, Charles L. Hudson, and others, G. H. T. Ferdinand Axt, and Peter Moffatt; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate proceeded to consider the nominations of John B. Peyton, Samuel Comfort, Henry Miller, Thomas D. Buskirk, and George J. Stubblefield; and

Resolved, That the Senate do not advise and consent to the appointment of the said persons.

The Senate proceeded to consider the resolution reported by Mr. Wilson from the Committee on Military Affairs and the Militia the 16 January last, as follows:

Resolved, That the Senate advise and consent to the correction of certain clerical errors as desired by the message of the President of the United States, dated December 3, 1867.

And the question being taken,

It was determined in the affirmative.

So the resolution was agreed to.

FRIDAY, FEBRUARY 21, 1868.

The following message was received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

On the 12th day of August, 1867, by virtue of the power and authority vested in the President by the Constitution and laws of the United States, I suspended Edwin M. Stanton from the office of Secretary of War.

In further exercise of the power and authority so vested in the President, I have this day removed Mr. Stanton from office and designated the Adjutant-General of the Army to act as Secretary of War *ad interim.*

Copies of the communications upon this subject, addressed to Mr. Stanton and the Adjutant-General, are herewith transmitted for the information of the Senate.

ANDREW JOHNSON.

WASHINGTON, D. C., *February 21st*, 1868.

The message was read.

The President *pro tempore* laid before the Senate a letter from the Secretary of War, relating to his assumed removal from the office of Secretary of War and the appointment of Lorenzo Thomas to be Secretary of War *ad interim*; which was read.

Mr. Edmunds submitted the following resolution for consideration:

Resolved, That having received and considered the communication of the President stating that he had removed from office Edwin M. Stanton, Secretary of War, the Senate disapprove the action of the President.

The Senate, by unanimous consent, proceeded to consider the said resolution.

On motion by Mr. Dixon, to amend the resolution of Mr. Edmunds by striking out all after the word "Resolved," and inserting in lieu thereof as follows: *That the President be requested to inform the Senate by what authority he has removed Edwin M. Stanton from the office of Secretary of War.*

On motion by Mr. Drake to amend the amendment of Mr. Dixon by inserting a preamble, as follows: *The Senate having received and considered the communication of the President of the United States stating that he had removed Edwin M. Stanton from the office of Secretary of War, it is,*

The question being taken,

It was determined in the negative.

So the amendment to the amendment was not agreed to.

The question recurring on the amendment of Mr. Dixon,

It was determined in the negative, { Yeas 4
Nays 33

On motion by Mr. Dixon,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Buckalew, Dixon, Doolittle, Hendricks.

Those who voted in the negative are,

Messrs. Anthony, Cameron, Cattell, Chandler, Conkling, Conness, Corbett, Cragin, Drake, Edmunds, Ferry, Fessenden, Frelinghuysen, Harlan, Henderson, Howard, Howe, Morrill of Maine, Morrill of Vermont, Patterson of New Hampshire, Pomeroy, Ramsey, Sprague, Stew-

art, Sumner, Thayer, Tipton, Trumbull, Van Winkle, Willey, Williams, Wilson, and Yates.

So the amendment of Mr. Dixon was not agreed to.

On motion by Mr. Chandler, to amend the resolution of Mr. Edmunds by adding thereto the words *as a violation of the rights of the Senate and unauthorized by law*,

The question being taken,

It was determined in the negative.

So the amendment was not agreed to.

On motion by Mr. Wilson to amend the resolution by inserting a preamble, as follows: *Whereas the Senate have received the communication of the President of the United States stating that he had removed Edwin M. Stanton, Secretary of War, and had designated the Adjutant-General of the Army to act as Secretary of War ad interim;* and by striking out all after the word "Resolved" and inserting as follows: *by the Senate of the United States, That, under the Constitution and laws of the United States, the President has no power to remove the Secretary of War and designate any other officer to perform the duties of that office ad interim.*

On motion by Mr. Yates to amend the amendment of Mr. Wilson by striking out all after the word "Resolved" and inserting as follows: *That the removal of Edwin M. Stanton, Secretary of War, and the appointment of a Secretary of War ad interim during the session of the Senate is simple resistance to law and revolutionary in character, and that the Senate disapproves of the same and advises the said Edwin M. Stanton, Secretary of War, not to surrender the office to any person whomsoever,*

The question being taken,

It was determined in the negative.

So the amendment of Mr. Yates to the amendment of Mr. Wilson was not agreed to.

On motion by Mr. Corbett to amend the amendment of Mr. Wilson by striking out all after the word "Whereas" in the preamble, and inserting in lieu thereof the words: *The President has informed the Senate that he has removed the Secretary of War, Hon. E. M. Stanton, and appointed Adjutant-General Thomas to act as Secretary of War ad interim: Therefore be it;* and by striking out all after the word "Resolved" and inserting in lieu thereof the words *That we do not concur in the action of the President in removing the Secretary of War, and appointing the Adjutant-General to act as Secretary of War ad interim; that we deny the right of the President so to act, under the existing laws, without the consent of the Senate.*

The question being taken,

It was determined in the negative.

So the amendment to the amendment was not agreed to.

The question recurring on the amendment of Mr. Wilson to the resolution of Mr. Edmunds,

It was determined in the affirmative, { Yeas 28
{ Nays 6

On motion by Mr. Buckalew,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Anthony, Cameron, Cattell, Cole, Conkling, Cragin, Drake, Ferry, Harlan, Morrill of Maine, Morrill of Vermont, Morton, Patterson of N. Hampshire, Pomeroy, Ramsey, Ross, Sprague, Stewart, Sumner, Thayer, Tipton, Trumbull, Van Winkle, Wade, Willey, Williams, Wilson, Yates.

Those who voted in the negative are,

Messrs. Buckalew, Davis, Doolittle, Edmunds, Hendricks, Patterson of Tenn.

So the amendment of Mr. Wilson to the resolution of Mr. Edmunds was agreed to.

On the question to agree to the resolution as amended, it was agreed to as follows:

Whereas the Senate have received the communication of the President of the United States, stating that he had removed Edwin M. Stanton, Secretary of War, and had designated the Adjutant-General of the Army to act as Secretary of War *ad interim*:

Resolved, by the Senate of the United States, That, under the Constitution and laws of the United States, the President has no power to remove the Secretary of War and designate any other officer to perform the duties of that office *ad interim*.

Mr. Howard submitted the following resolution for consideration:

Resolved, That the Secretary of the Senate is hereby directed to communicate copies of the foregoing resolution to the President of the United States, to the Secretary of War, and to the Adjutant-General of the Army of the United States.

The Senate, by unanimous consent, proceeded to consider the said resolution, and, resolved to agree thereto.

On motion by Mr. Howard, that the injunction of secrecy be so far removed from the proceedings of the Senate in executive session this day as to permit the publication of the resolution of the Senate relating to the removal of Edwin M. Stanton from the office of the Secretary of War and the appointment of the Adjutant-General of the Army to be Secretary of War *ad interim*,

On motion by Mr. Buckalew, to amend the motion of Mr. Howard by striking out all after the word "secrecy" and inserting in lieu thereof the words: *be removed from the entire proceedings of the Senate in executive session this day*,

The question being taken,

It was determined in the negative.

So the amendment of Mr. Buckalew was not agreed to.

The question recurring on the motion of Mr. Howard,

It was determined in the affirmative.

So the motion of Mr. Howard was agreed to.

MONDAY, FEBRUARY 24, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate William C. Burt to be deputy postmaster at Murfreesborough, in the county of Rutherford and State of Tennessee, in place of Wm. C. Burt, whose commission expired December 10, 1867.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 17, 1868.

To the Senate of the United States:

I nominate James W. McDonough to be deputy postmaster at Galveston, in the county of Galveston and State of Texas, in place of V. W. Grahn, removed for cause, having become a defaulter.

ANDREW JOHNSON.

WASHINGTON, D. C., *Feb'y* 17, 1868.

To the Senate of the United States:

I nominate Joseph H. Moore to be deputy postmaster at El Paso, in the county of Woodford and State of Illinois, in place of Elizabeth Willis, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *Feb'y* 17, 1868.

To the Senate of the United States:

I nominate George T. Martin to be deputy postmaster at Sante Fé, in the county of Santa Fé and Ter. of New Mexico, in place of Martin L. Byers, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *Feb.* 17, 1868.

To the Senate of the United States:

I nominate William M. Bain to be deputy postmaster at Seymour, in the county of Jackson and State of Indiana, to fill vacancy occasioned by the rejection of Auburn J. Baker.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 17, 1868.

To the Senate of the United States:

I nominate Charles H. Hall to be assessor of internal revenue for the thirty-second district of New York, vice Sylvester P. Gilbert, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 13, 1868.

To the Senate of the United States:

I nominate Daniel Garrison to be assessor of internal revenue for the first distrct of New York, to fill a vacancy existing since the close of the second session of the Thirty-ninth Congress.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 11*th*, 1868.

To the Senate of the United States:

I nominate Thomas Sim to be marshal of the United States for the district of South Carolina, in the place of J. P. M. Epping, removed.

ANDREW JOHNSON.

EXECUTIVE MANSION, *Feb'y* 17, 1868.

To the Senate of the United States:

I nominate Benjamin H. Smith to be attorney of the United States for the district of West Virginia, his previous commission having expired.

ANDREW JOHNSON.

EXECUTIVE MANSION, *Feb'y* 17, 1868.

To the Senate of the United States:

I nominate the persons named in the accompanying communication for promotion in the Army of the United States, as proposed by the Secretary of War.

ANDREW JOHNSON.

WASHINGTON, *January* 13*th*, 1868.

WAR DEPARTMENT,
Washington, January 13th, 1868.

SIR: I have the honor to propose for your approbation the following-named officers for regular promotion in the Army of the United States:

Medical Department.

Assistant Surgeon John H. Frantz to be surgeon, December 19, 1867, vice Ten Broeck, deceased.

Ordnance Department.

Captain Theodore Edson to be major, December 15, 1867, vice Shunk, deceased.

First Lieutenant Clifton Comly to be captain, December 15, 1867, vice Edson, promoted.

Second Lieutenant Martin L. Poland to be first lieutenant, December 15, 1867, vice Comly, promoted.

Second Regiment of Cavalry.

Captain James S. Brisbin, of the Ninth Cavalry, to be major, January 1, 1868, vice Pleasonton, resigned.

Third Regiment of Cavalry.

First Lieutenant Gerald Russell to be captain, November 14, 1867, vice Tilford, promoted to the Seventh Cavalry.

First Lieutenant John Falvey to be captain, December 16, 1867, vice Thomas, cashiered.

Second Lieutenant Joseph J. Ennis to be first lieutenant, November 14, 1867, vice Russell, promoted.

Second Lieutenant Howard B. Cushing to be first lieutenant, December 16, 1867, vice Falvey, promoted.

Sixth Regiment of Cavalry.

First Lieutenant Thomas M. Tolman to be captain, November 18, 1867, vice Claflin, deceased.

Second Lieutenant Isaac N. Walter to be first lieutenant, November 18, 1867, vice Tolman, promoted.

Second Lieutenant William A. Borthwick to be first lieutenant, November 25, 1867, vice Wiley, the regimental quartermaster.

Seventh Regiment of Cavalry.

Captain Joseph G. Tilford, of the Third Cavalry, to be major, November 14, 1867, vice Thompson, deceased.

Ninth Regiment of Cavalry.

First Lieutenant Michael Cooney to be captain, January 1, 1868, vice Brisbin, promoted to the Second Cavalry.

Second Lieutenant William B. Brunton to be first lieutenant, September 13, 1867, vice Loud, the regimental adjutant.

Second Lieutenant Ira W. Trask to be first lieutenant, January 1, 1868, vice Cooney, promoted.

Tenth Regiment of Cavalry.

Second Lieutenant John A. Bodamer to be first lieutenant, December 11, 1867, vice Badger, the regimental commissary.

Second Lieutenant Samuel L. Woodward to be first lieutenant, December 11, 1867, he being the regimental adjutant.

Second Lieutenant William H. Beck to be first lieutenant, December 11, 1867, he being the regimental quartermaster.

Second Regiment of Artillery.

First Lieutenant John A. Darling to be captain, December 9, 1867, vice James, resigned.

Second Lieutenant Emilius de Menlen to be first lieutenant, December 9, 1867, vice Darling, promoted.

Fourth Regiment of Artillery.

Second Lieutenant James W. Dixon to be first lieutenant, December 7, 1867, vice Redmond, retired.

Third Regiment of Infantry.

First Lieutenant James A. Snyder to be captain, December 31, 1867, vice Freedley, promoted to the Fourteenth Infantry.

Second Lieutenant Thomas S. Wallace to be first lieutenant, December 31, 1867, vice Snyder, promoted.

Twelfth Regiment of Infantry.

Second Lieutenant David J. Craigie to be first lieutenant, October 17, 1867, he being the regimental adjutant.

Fourteenth Regiment of Infantry.

Captain Henry W. Freedley, of the Third Infantry, to be major, December 31, 1867, vice Dent, promoted to the Thirty-second Infantry.

Sixteenth Regiment of Infantry.

Second Lieutenant Edwin R. Parks to be first lieutenant, December 20, 1867, vice Robert Miller, resigned.

Nineteenth Regiment of Infantry.

First Lieutenant George T. Olmstead, jr., to be captain, November 18, 1867, vice Newbold, resigned.

Second Lieutenant John S. Appleton to be first lieutenant, November 18, 1867, vice Olmstead, promoted.

Second Lieutenant John G. Leefe to be first lieutenant, November 18, 1867, he being the regimental adjutant.

Twenty-third Regiment of Infantry.

First Lieutenant Amandus C. Kistler to be captain, December 16, 1867, vice Weldy, resigned.

Second Lieutenant George McTaylor to be first lieutenant, December 16, 1867, vice Kistler, promoted.

Twenty-sixth Regiment of Infantry.

Second Lieutenant George W. Smith to be first lieutenant, November 4, 1867, he being the Regimental quartermaster.

Thirty-second Regiment of Infantry.

Major Frederick T. Dent, of the Fourteenth Infantry, to be lieutenant-colonel, December 31, 1867, vice McGarry, deceased.

Second Lieutenant John J. Shepheard to be first lieutenant, November 5, 1867, vice Carroll, deceased.

Second Lieutenant Sheldon Guthrie to be first lieutenant, November 5, 1867, vice Shepheard, the regimental quartermaster.

Second Lieutenant George W. Evans to be first lieutenant, December 9, 1867, vice Matthews, resigned.

Thirty-eighth Regiment of Infantry.

Second Lieutenant Charles Penney to be first lieutenant, November 4, 1867, he being the regimental adjutant.

Forty-first Regiment of Infantry.

First Lieutenant Lewis Johnson to be captain, December 12, 1867, vice Arnold, deceased.

First Lieutenant Samuel K. Schwenk to be captain, December 16, 1867, vice Kilgour, wholly retired.

Second Lieutenant James Pratt, jr., to be first lieutenant, December 12, 1867, vice Johnson, promoted.

Second Lieutenant Thomas Sharp to be first lieutenant, December 16, 1867, vice Schwenk, promoted.

I am, sir, with great respect, your obedient servant,

U. S. GRANT,
Secretary of War ad interim.

The PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate Lyndon A. Smith to be assessor of internal revenue for the 7th district of Indiana, in place of James Farrington, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 17, 1868.

To the Senate of the United States:

I nominate Samuel K. Allen, of New York, and Samuel Mercer, of Pennsylvania, to be second lieutenants in the Marine Corps, to fill vacancies in that grade.

ANDREW JOHNSON.

WASHINGTON CITY, 18 *February*, 1868.

To the Senate of the United States:

I nominate Major-General George H. Thomas to be lieutenant-general by brevet and to be general by brevet in the Army of the United States, for distinguished courage, skill, and ability displayed during the war of the rebellion.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 21, 1868.

To the Senate of the United States:

I nominate George B. McClellan, of Ohio, to be envoy extraordinary and minister plenipotentiary of the United States to England, vice Charles Francis Adams, resigned.

ANDREW JOHNSON.

WASHINGTON, 21 *February*, 1868.

To the Senate of the United States:

I nominate James R. Hubbell, of Ohio, to be minister resident of the United States to the Republic of Ecuador, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, 21*st February*, 1868.

To the Senate of the United States:

I nominate Henry Lyles to be justice of the peace in and for the county of Washington, District of Columbia, on the expiration of his present term of office.

ANDREW JOHNSON.

EXECUTIVE MANSION, *February* 20, 1868.

To the Senate of the United States:

I nominate Minard H. Farley, of California, to be surveyor-general of California, vice Lauren Upson, whose commission will expire February 22d, 1868.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 21, 1868.

To the Senate of the United States:

I nominate Augustus Bradley to be assessor of internal revenue for the second district of Indiana, to fill a vacancy existing since the end of the 2d session 39th Congress.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 20, 1868.

To the Senate of the United States:

I nominate Thomas Ewing, senior, of Ohio, to be Secretary for the Department of War.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 22*d*, 1868.

To the Senate of the United States:

I nominate Richard P. L. Baber, of Ohio, to be pension agent at Columbus, Ohio, vice J. W. Dwyer, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 24, 1868.

To the Senate of the United States:

With reference to the convention between Denmark and the United States, concluded on the 24th of October last, I transmit to the Senate a copy in translation of a note of the 19th instant, addressed to the Secretary of State, by His Danish Majesty's chargé d'affaires, announcing the ratification of the convention by the Government of Denmark, and stating his readiness to proceed with the customary exchange of ratifications.

ANDREW JOHNSON.

WASHINGTON, *February 20th*, 1868.

To the Senate of the United States:

In compliance with the request of the Senate of the 14th instant, I return herewith their resolution of the 12th of February advising and consenting to the appointment of Noah L. Jeffries as Register of the Treasury, and transmit a copy of a report upon the subject from the Secretary of the Treasury.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 19, 1868.

To the Senate of the United States:

I have received a copy of the resolution adopted by the Senate on the 21st instant, as follows:

"Whereas the Senate have received and considered the communication of the President, stating that he had removed Edwin M. Stanton, Secretary of War, and had designated the Adjutant-General of the Army to act as Secretary of War *ad interim:* Therefore,

"*Resolved by the Senate of the United States*, That under the Constitution and laws of the United States the President has no power to remove the Secretary of War and designate any other officer to perform the duties of that office *ad interim.*"

This resolution is confined to the power of the President to remove the Secretary of War and to designate another officer to perform the duties of the office *ad interim*, and by its preamble is made expressly applicable to the removal of Mr. Stanton and the designation to act *ad interim* of the Adjutant-General of the Army. Without, therefore, attempting to discuss the general power of removal as to all officers, upon which subject no expression of opinion is contained in the resolution, I shall confine myself to the question as thus limited—the power to remove the Secretary of War.

It is declared in the resolution "that under the Constitution and laws of the United States the President has no power to remove the Secretary of War and designate any other officer to perform the duties of that office *ad interim.*"

As to the question of power under the Constitution, I do not propose at present to enter upon its discussion.

The uniform practice from the beginning of the Government, as established by every President who has exercised the office, and the decisions of the Supreme Court of the United States have settled the question in favor of the power of the President to remove all officers excepting a class holding appointments of a judicial character. No practice nor any decision has ever excepted a Secretary of War from this general power of the President to make removals from office.

It is only necessary, then, that I should refer to the power of the Executive, under the laws of the United States, to remove from office

a Secretary of War. The resolution denies that under these laws this power has any existence. In other words, it affirms that no such authority is recognized or given by the statutes of the country.

What then are the laws of the United States which deny the President the power to remove that officer? I know but two laws which bear upon this question. The first, in order of time, is the act of August 7, 1789, creating the Department of War, which, after providing for a Secretary as its principal officer, proceeds as follows:

"SEC. 2. *And be it further enacted*, That there shall be in the said Department an inferior officer, to be appointed by the said principal officer, to be employed therein as he shall deem proper, and to be called the chief clerk in the Department of War, and who, whenever the said principal officer shall be removed from office by the President of the United States, or in any other case of vacancy, shall, during such vacancy, have the charge and custody of all records, books, and papers pertaining to the said Department."

It is clear that this act, passed by a Congress, many of whose members participated in the formation of the Constitution, so far from denying the power of the President to remove the Secretary of War, recognizes it as existing in the Executive alone, without the concurrence of the Senate or of any other department of the Government. Furthermore, this act does not purport to confer the power by legislative authority, nor, in fact, was there any other existing legislation through which it was bestowed upon the Executive. The recognition of the power by this act is therefore complete as a recognition under the Constitution itself, for there was no other source or authority from which it could be derived.

The other act which refers to this question is that regulating the tenure of certain civil offices passed by Congress on the second day of March, 1867. The first section of that act is in the following words:

"That every person holding any civil office to which he has been appointed by and with the advice and consent of the Senate, and every person who shall hereafter be appointed to any such office, and shall become duly qualified to act therein, is and shall be entitled to hold such office until a successor shall have been in like manner appointed and duly qualified, except as herein otherwise provided: *Provided*, That the Secretaries of State, of the Treasury, of War, of the Navy, and of the Interior, the Postmaster-General, and the Attorney-General shall hold their offices respectively for and during the term of the President by whom they may have been appointed, and for one month thereafter, subject to removal by and with the advice and consent of the Senate."

The fourth section of the same act restricts the term of offices to the limit prescribed by the law creating them.

That part of the first section which precedes the proviso declares that every person holding a civil office to which he has been or may be appointed by and with the advice and consent of the Senate, shall hold such office until a successor shall have been in like manner appointed. It purports to take from the Executive, during the fixed time established for the tenure of the office, the independent power of removal, and to require for such removal the concurrent action of the President and the Senate.

The proviso that follows proceeds to fix the term of office of the seven heads of Departments, whose tenure never had been defined before, by prescribing that they "shall hold their offices respectively for and during the term of the President by whom they may have been appointed,

and for one month thereafter, subject to removal by and with the advice and consent of the Senate."

Thus, as to these enumerated officers, the proviso takes from the President the power of removal, except with the advice and consent of the Senate. By its terms, however, before he can be deprived of the power to displace them, it must appear that he himself has appointed them. It is only in that case that they have any tenure of office or any independent right to hold during the term of the President and for one month after the cessation of his official functions. The proviso, therefore, gives no tenure of office to any one of these officers who has been appointed by a former President beyond one month after the accession of his successor.

In the case of Mr. Stanton, the only appointment under which he held the office of Secretary of War was that conferred upon him by my immediate predecessor, with the advice and consent of the Senate. He has never held from me any appointment as the head of the War Department. Whatever right he had to hold the office was derived from that original appointment and my own sufferance. The law was not intended to protect such an incumbent of the War Department by taking from the President the power to remove him. This, in my judgment, is perfectly clear, and the law itself admits of no other just construction. We find in all that portion of the first section which precedes the proviso that, as to civil officers generally, the President is deprived of the power of removal, and it is plain that if there had been no proviso that power would just as clearly have been taken from him, so far as it applies to the seven heads of Departments. But for reasons which were no doubt satisfactory to Congress these principal officers were specially provided for, and as to them the express and only requirement is that the President who has appointed them shall not without the advice and consent of the Senate remove them from office. The consequence is that as to my Cabinet, embracing the seven officers designated in the first section, the act takes from me the power, without the concurrence of the Senate, to remove any one of them that I have appointed, but it does not protect such of them as I did not appoint, nor give to them any tenure of office beyond my pleasure.

An examination of this act, then, shows that while in one part of the section provision is made for officers generally, in another clause there is a class of officers, designated by their official titles, who are excepted from the general terms of the law, and in reference to whom a clear distinction is made as to the general power of removal limited in the first clause of the section.

This distinction is, that as to such of these enumerated officers as hold under the appointment of the President, the power of removal can only be exercised by him with the consent of the Senate, while as to those who have not been appointed by him, there is no like denial of his power to displace them. It would be a violation of the plain meaning of this enactment to place Mr. Stanton upon the same footing as those heads of Departments who have been appointed by myself. As to him, this law gives him no tenure of office. The members of my Cabinet who have been appointed by me are by this act entitled to hold for one month after the term of my office shall cease; but Mr. Stanton could not, against the wishes of my successor, hold a moment thereafter. If he were permitted by that successor to hold for the first two weeks, would that successor have no power to remove him? But the power of my successor over him could be no greater than my own. If my successor would have the power to remove Mr. Stanton, after permitting him to

remain a period of two weeks because he was not appointed by him but by his predecessor, I, who have tolerated Mr. Stanton for more than two years, certainly have the same right to remove him, and upon the same ground, namely, that he was not appointed by me but by my predecessor.

Under this construction of the tenure-of-office act, I have never doubted my power to remove Mr. Stanton.

Whether the act were constitutional or not, it was always my opinion that it did not secure him from removal. I was, however, aware that there were doubts as to the construction of the law, and from the first I deemed it desirable that at the earliest possible moment those doubts should be settled, and the true construction of the act fixed by decision of the Supreme Court of the United States. My order of suspension in August last was intended to place the case in such a position as would make a resort to a judicial decision both necessary and proper. My understanding and wishes, however, under that order of suspension were frustrated, and the late order for Mr. Stanton's removal was a further step towards the accomplishment of that purpose.

I repeat, that my own convictions as to the true construction of the law and as to its constitutionality were well settled and were sustained by every member of my Cabinet, including Mr. Stanton himself. Upon the question of constitutionality, each one in time deliberately advised me that the tenure-of-office act was unconstitutional. Upon the question whether, as to those members who were appointed by my predecessor, that act took from me the power to remove them, one of those members emphatically stated in the presence of the others sitting in Cabinet that they did not come within the provisions of the act, and it was no protection to them. No one dissented from this construction, and I understood them all to acquiesce in its correctness. In a matter of such grave consequence I was not disposed to rest upon my own opinions, though fortified by my constitutional advisers. I have therefore sought to bring the question at as early a day as possible before the Supreme Court of the United States for final and authoritative decision.

In respect to so much of the resolution as relates to the designation of an officer to act as Secretary of War *ad interim*, I have only to say that I have exercised this power under the provisions of the first section of the act of February 13, 1795, which, so far as they are applicable to vacancies caused by removals, I understand to be still in force.

The legislation upon the subject of *ad interim* appointments in the executive departments stands, as to the War Office, as follows:

The second section of the act of the 7th of August, 1789, makes provision for a vacancy in the very case of a removal of the head of the War Department, and upon such a vacancy gives the charge and custody of the records, books, and papers to the chief clerk. Next, by the act of the 8th of May, 1792, section eight, it is provided that in case of a vacancy occasioned by death, absence from the seat of Government, or sickness of the head of the War Department, the President may authorize a person to perform the duties of the office until a successor is appointed or the disability removed. The act, it will be observed, does not provide for the case of a vacancy caused by removal. Then, by the first section of the act of February 13, 1795, it is provided that in case of any vacancy the President may appoint a person to perform the duties while the vacancy exists.

These acts are followed by that of the 20th of February, 1863, by the first section of which provision is again made for a vacancy caused by

death, resignation, absence from the seat of Government, or sickness of the head of any executive department of the Government; and, upon the occurrence of such a vacancy, power is given to the President "to authorize the head of any other executive department, or other officer in either of said departments whose appointment is vested in the President at his discretion to perform the duties of the said respective offices until a successor be appointed, or until such absence or inability by sickness shall cease: *Provided*, That no one vacancy shall be supplied in manner aforesaid for a longer term than six months."

This law, with some modifications, re-enacts the act of 1792, and provides, as did that act, for the sort of vacancies so to be filled; but, like the act of 1792, it makes no provision for a vacancy occasioned by removal. It has reference altogether to vacancies arising from other causes.

According to my construction of the act of 1863, while it impliedly repeals the act of 1792, regulating the vacancies therein described, it has no bearing whatever upon so much of the act of 1795 as applies to a vacancy caused by removal. The act of 1795 therefore furnishes the rule for a vacancy occasioned by removal—one of the vacancies expressly referred to in the act of the 7th of August, 1789, creating the Department of War. Certainly there is no express repeal by the act of 1863 of the act of 1795. The repeal, if there is any, is by implication, and can only be admitted so far as there is a clear inconsistency between the two acts. The act of 1795 is inconsistent with that of 1863 as to a vacancy occasioned by death, resignation, absence, or sickness, but not at all inconsistent as to a vacancy caused by removal.

It is assuredly proper that the President should have the same power to fill temporarily a vacancy occasioned by removal as he has to supply a place made vacant by death or the expiration of a term. If, for instance, the incumbent of an office should be found to be wholly unfit to exercise its functions, and the public service should require his immediate expulsion, a remedy should exist and be at once applied, and time be allowed the President to select and appoint a successor, as is permitted him in case of a vacancy caused by death or the termination of an official term.

The necessity, therefore, for an *ad interim* appointment is just as great, and indeed may be greater in cases of removal than in any others. Before it be held, therefore, that the power given by the act of 1795, in cases of removal, is abrogated by succeeding legislation, an express repeal ought to appear. So wholesome a power should certainly not be taken away by loose implication.

It may be, however, that in this, as in other cases of implied repeal, doubts may arise. It is confessedly one of the most subtle and debatable questions which arise in the construction of statutes. If upon such a question I have fallen into an erroneous construction, I submit whether it should be characterized as a violation of official duty and of law.

I have deemed it proper, in vindication of the course which I have considered it my duty to take, to place before the Senate the reasons upon which I have based my action. Although I have been advised by every member of my Cabinet that the entire tenure-of-office act is unconstitutional and therefore void; and although I have expressly concurred in that opinion in the veto message which I had the honor to submit to Congress when I returned the bill for reconsideration, I have refrained from making a removal of any officer contrary to the provisions of the law, and have only exercised that power in the case of Mr. Stanton, which, in my judgment, did not come within its provisions. I have endeavored to proceed with the greatest circumspection, and have

acted only in an extreme and exceptional case, carefully following the course which I have marked out for myself as a general rule, faithfully to execute all laws, though passed over my objections on the score of constitutionality. In the present instance I have appealed, or sought to appeal, to that final arbiter fixed by the Constitution for the determination of all such questions. To this course I have been impelled by the solemn obligations which rest upon me to sustain inviolate the powers of the high office committed to my hands.

Whatever may be the consequences merely personal to myself, I could not allow them to prevail against a public duty so clear to my own mind, and so imperative. If what was possible had been certain, if I had been fully advised when I removed Mr. Stanton that in thus defending the trust committed to my hands my own removal was sure to follow, I could not have hesitated. Actuated by public considerations of the highest character, I earnestly protest against the resolution of the Senate which charges me, in what I have done, with a violation of the Constitution and laws of the United States.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 22, 1868.

The messages were read.

Ordered, That the nominations of Wm. C. Burt, James W. McDonough, Joseph H. Moore, George T. Martin, and Wm. M. Bain be referred to the Committee on Post-Offices and Post-Roads.

Ordered, That the nominations of Charles H. Hall, Daniel Garrison, Lyndon A. Smith, and Augustus Bradley be referred to the Committee on Finance.

Ordered, That the nominations of Thomas Sim and Benjamin H. Smith be referred to the Committee on the Judiciary.

Ordered, That the nominations of John H. Frantz and others be referred to the Committee on Military Affairs and the Militia and printed in confidence for the use of the Senate.

Ordered, That the nominations of Samuel K. Allen and Samuel Mercer be referred to the Committee on Naval Affairs.

Ordered, That the nominations of George H. Thomas and Thomas Ewing, sen'r., be referred to the Committee on Military Affairs and the Militia.

Ordered, that the nominations of George B. McClellan and James R. Hubbell be referred to the Committee on Foreign Relations.

Ordered, That the nomination of Henry Lyles be referred to the Committee on the District of Columbia.

Ordered, That the nomination of Minard H. Farley be referred to the Committee on Public Lands.

Ordered, That the nomination of Richard P. L. Baber be referred to the Committee on Pensions.

Ordered, That the message of the President of the United States, relating to the convention between the Government of Denmark and the United States, concluded on the 24th October, 1867, be referred to the Committee on Foreign Relations, and, with the accompanying paper, be printed in confidence for the use of the Senate.

Ordered, That the message of the President of the United States relating to the removal from office of Secretary of War of Edwin M. Stanton, be laid on the table and printed in confidence for the use of the Senate.

The President *pro tempore* laid before the Senate a letter addressed to him from Major-General Thomas, relating to the nomination of said

Thomas to be lieutenant-general by brevet and general by brevet in the Army of the United States, which was read.

On motion by Mr. Buckalew,

Ordered, That the injunction of secrecy be removed from the message of the President of the United States received this day, relating to the removal from office of the Secretary of War, Edwin M. Stanton.

Mr. Grimes, from the Committee on Naval Affairs, to whom were referred, the 10th instant, the nominations of Joseph F. Green and George H. Cooper, and, the 14th instant, those of William B. Jones and George Otis Allen, and the 20 December last those of Charles A. Stillman and Frank D. Webster, reported favorably thereon.

Mr. Morgan, from the Committee on Finance, to whom was referred, the 14th instant, the nomination of Charles N. Tuttle, reported adversely thereon.

Mr. Henderson, from the Committee on Finance, to whom was referred, the 11th instant, the nomination of William Fithian, reported adversely thereon.

Mr. Van Winkle, from the Committee on Finance, to whom was referred, the 10th instant, the nomination of John W. Menzies, reported adversely thereon.

Mr. Sherman, from the Committee on Finance, to whom was referred, the 5th instant, the nomination of Moses N. Wisewell, reported adversely thereon.

Mr. Corbett, from the Committee on Commerce, to whom was referred, the 5th instant, the nomination of Alexander Willard, reported favorably thereon.

On motion by Mr. Morgan,

Ordered, That he have leave to withdraw the motion submitted by him, the 11th instant, that the resolution that the Senate advise and consent to the appointment of T. Scott Stewart be reconsidered.

Mr. Sherman submitted a letter addressed to him by Noah L. Jeffries, relating to the appointment of the said Jeffries to be Register of the Treasury, which was read; and

On motion by Mr. Sherman,

Referred to the Committee on the Judiciary.

FRIDAY, FEBRUARY 28, 1868.

The following messages were received from the President of the United States by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate John W. Caldwell, of Ohio, to be minister resident of the United States to the Republic of Bolivia, vice John Netherland, declined.

ANDREW JOHNSON.

WASHINGTON, D. C., *February 26th*, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment in the Army of the United States, they having passed the examination required by law:

Silas Pepoon, late first lieutenant of the First Oregon Cavalry, to be second lieutenant in the Tenth Regiment United States Cavalry, August 17, 1867, vice Beck, the regimental quartermaster.

Edmond Luff, late captain of the Twelfth Illinois Cavalry, to be second lieutenant in the Eighth Regiment United States Cavalry, November 20, 1867, vice McCleave, promoted.

James D. McBride, late lieutenant-colonel of the Eighth Regiment United States Colored Heavy Artillery, to be second lieutenant in the First Regiment United States Cavalry, November 20, 1867, vice Harrington, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 15, 1868.

To the Senate of the United States:

I nominate John H. Brodhead, of Pennsylvania, to be commissioner under the act approved March 29, 1867, to reimburse the State of Indiana for moneys expended for the United States in enrolling, equipping and provisioning militia to aid in suppressing the rebellion.

ANDREW JOHNSON.

WASHINGTON, D. C., *February 28th*, 1868.

To the Senate of the United States:

I nominate Thomas Hood to be attorney of the United States for the district of Wisconsin, in the place of J. B. D. Coggswell, removed.

ANDREW JOHNSON.

EXECUTIVE MANSION, *February* 28, 1868.

To the Senate of the United States:

I nominate Joseph S. C. Rowland to be marshal of the United States for the western district of Arkansas, in the place of Luther C. White, removed.

ANDREW JOHNSON.

EXECUTIVE MANSION, *February* 28, 1868.

To the Senate of the United States:

I nominate Charles Van Winkel to be marshal of the United States for the district of Virginia, in the place of John Underwood, whose term of office has expired.

ANDREW JOHNSON.

EXECUTIVE MANSION, *February* 28, 1868.

The messages were read.

Ordered, That the nomination of John W. Caldwell be referred to the Committee on Foreign Relations.

Ordered, That the nominations of Silas Pepoon and others, and John H. Brodhead, be referred to the Committee on Military Affairs and the Militia.

Ordered, That the nominations of Thomas Hood, Joseph S. C. Rowland, and Charles Van Winkel, be referred to the Committee on the Judiciary.

Mr. Morgan, from the Committee on Commerce, to whom were referred, the 8th January last, the nomination of Elisha B. Hamilton, the 16th January last those of Thomas B. Asten and Butler H. Bixby, and the 3d instant that of Lewis J. Kirk, reported favorably thereon; and the 24th instant that of Daniel Garrison, reported adversely thereon.

Mr. Wilson, from the Committee on Military Affairs and the Militia, to whom were referred, the 24th instant, the nominations of John H. Frantz and others, reported favorably thereon.

Mr. Van Winkle, from the Committee on Pensions, to whom was referred, the 24th instant, the nomination of Richard P. L. Baber, reported adversely thereon.

Whereupon

Resolved, That the Senate do not advise and consent to his appointment.

The Senate proceeded to consider the nomination of William Fithian; and

On motion by Mr. Trumbull,

Ordered, That it lie on the table.

On motion by Mr. Van Winkle,

Ordered, That the rule of the Senate be suspended so far as to permit the resolution that the Senate do not advise and consent to the appointment of Richard P. L. Baber, to be communicated to the President of the United States this day.

On motion by Mr. Cragin, the Senate proceeded to considert he nomination of Moses N. Wisewell; and

Resolved, That the Senate do not advise and consent to his appointment.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom were referred, the 20 December last, the nomination of Alger M. Wheeler, and the 24th instant that of Joseph H. Moore, reported favorably thereon, and the 28 January last that of Uriah Mulliken, the 14th instant that of Henry Gliem, and the 24th instant that of William M. Bain, reported adversely thereon.

TUESDAY, MARCH 3, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Julius P. Dennis to be deputy postmaster at Finley, in the county of Hancock and State of Ohio, in place of James Nibling, rejected 5th February, 1868.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 29, 1868.

To the Senate of the United States:

I nominate Lewis Wolfley to be assessor of internal revenue for the first district of Louisiana, vice James Ready, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *March 2d*, 1868.

To the Senate of the United States:

I nominate Thomas William Ward to be collector of customs for the district of Corpus Christi, in the State of Texas, to fill a vacancy existing since the close of the 2d session, 39th Congress.

ANDREW JOHNSON.

WASHINGTON, D. C., *March* 3, 1868.

To the Senate of the United States:

I nominate Samuel T. Crown to be justice of the peace in and for the county of Washington, District of Columbia.

ANDREW JOHNSON.

EXECUTIVE MANSION, *March* 3, 1868.

To the Senate of the United States:

I nominate George S. Gale, of New York, to be pension agent (widows' agency) at New York City, New York, vice Alpheus Holes.

ANDREW JOHNSON.

WASHINGTON, D. C., *March* 31, 1868.

To the Senate of the United States:

I nominate Charles S. King, of Washington Territory, to be agent for the Indians in Washington Territory, vice Alfred R. Elder, whose term of office will expire March 1st, 1868.

ANDREW JOHNSON.

WASHINGTON, D. C., *March* 3, 1868.

To the Senate of the United States:

I nominate Passed Assistant Surgeon Benjamin H. Kidder to be a surgeon in the Navy from the 2d of March, 1868, vice Surgeon Samuel J. Jones, resigned.

ANDREW JOHNSON.

WASHINGTON CITY, *2d March*, 1868.

To the Senate of the United States:

I nominate Philip Lindsley to be attorney of the United States for the middle district of Tennessee, in the place of Horace H. Harrison, resigned.

ANDREW JOHNSON.

EXECUTIVE MANSION, *March* 3, 1868.

To the Senate of the United States:

I withdraw the nomination of Stephen W. Downey to be assessor of internal revenue for the second district of West Virginia, submitted to the Senate on the 5th instant.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 29, 1868.

To the Senate of the United States:

I withdraw the nomination of Charles G. Greene to be assistant treasurer of the United States at Boston, Massachusetts, submitted to the Senate on the 10th ultimo.

ANDREW JOHNSON.

WASHINGTON, D. C., *March 3d*, 1868.

The messages were read.

Ordered, That the nomination of Julius P. Dean be referred to the Committee on Post-Offices and Post-Roads.

Ordered, That the nomination of Lewis Wolfley be referred to the Committee on Finance.

Ordered, That the nomination of Thomas Wm. Ward be referred to the Committee on Commerce.

Ordered, That the nomination of Samuel T. Crown be referred to the Committee on the District of Columbia.

Ordered, That the nomination of George S. Gale be referred to the Committee on Pensions.

Ordered, That the nomination of Charles S. King be referred to the Committee on Indian Affairs.

Ordered, That the nomination of Benjamin H. Kidder be referred to the Committee on Naval Affairs.

Ordered, That the nomination of Philip Lindsley be referred to the Committee on the Judiciary.

Mr. Stewart, from the Committee on Public Lands, to whom was referred, the 24th February last, the nomination of Minard H. Farley, reported adversely thereon.

The Senate proceeded to consider the nominations of George C. Getchell, A. Warner Rose, Charles N. Tuttle, John W. Menzies, Daniel Garrison, and William M. Bain, and

Resolved, That the Senate do not advise and consent to their appointment.

The Senate proceeded to consider the nominations of Joseph S. Collins, E. L. Corbin, Edwin J. Klopper, William G. Brock, John J. Godfrey, William L. Stanford, Robert L. Matthews, Henry F. Heriot, Charles A. Stillman, Frank D. Webster, Joseph H. Green, George H. Cooper, William B. Jones, George Otis Allen, Alexander Willard, Elisha B. Hamilton, John H. Frantz and others, Lewis J. Kirk, Alger M. Wheeler, and Joseph H. Moore; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Sherman, from the Committee on Finance, to whom was referred, the 28 January last, the nomination of Samuel S. Smead, reported favorably.

Mr. Harlan, from the Committee on Foreign Relations, to whom was referred, the 28 January last, the nomination of J. Ross Browne, reported favorably thereon.

Mr. Spragne, from the Committee on Military Affairs and the Militia, to whom was referred, the 28 January last, the nomination of Dwight Bannister, reported favorably thereon.

Wherenpon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

FRIDAY, MARCH 6, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate David M. Fleming to be assessor of internal revenue for the 4th district of Ohio, in place of James H. Hart, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *March* 5, 1868.

To the Senate of the United States:

I nominate the following-named lieutenants to be lieutenant-commanders in the Navy on the active list, to fill vacancies in that grade, and to be subject to the examinations required by the act of 21st April, 1864, viz:

To be lieutenant commanders.

Chas. McGregor, Ira Harris, jr., D. R. Cassel, R. D. Evans, George W. Coffin, Henry Glass, E. J. Dichman, Wm. W. Maclay, P. H. Cooper, H. C. Taylor, A. D. Brown, Marston Niles, G. H. Wadleigh, J. D. Clark, A. S. Crowningshield, Charles H. Craven, Frank Wildes, W. W. Hendrickson, A. G. Kellogg, J. B. Coghlan, J. H. Sands, Yates Sterling, Wm. C. Wise, Lewis Clark, P. F. Harrington, Wm. B. Hoff, Wm. K.

Wheeler, Wm. S. Dana, Nicoll Ludlow, Francis A. Cook, Colby M. Chester, A. H. Wright, Charles E. Clark, Chas. J. Barclay, Chas. V. Gridley, Francis Morris, Chas. D. Sigsby, R. D. Leary, Wm. A. Van Vleck, Chas. H. Pendleton, Wm. H. Whiting, George M. McClure, Dennis W. Mullan, George T. Davis, and George D. B. Glidden.

I also nominate the following-named officers from the Volunteer service, under the act of 25 July, 1866, to be lieutenants in the Regular Navy, on the active list, viz:

To be lieutenants.

N. Mayo Dyer, F. M. Green, Edward Hooker, H. H. Gorringe, A. W. Muldam, J. S. Cony, and Charles O'Neil.

Also the following-named masters to be lieutenants in the Navy, on the active list, to fill vacancies in that grade, subject to the examinations required by the act of 21st April, 1864, viz:

To be lieutenants.

C. F. Goodrich, A. G. Caldwell, Chas. W. Kennedy, B. H. McCalla, G. W. Armentrout, D. C. Woodrow, H. C. White, F. H. Sheppard, E. M. Stedman, J. C. Kennett, Wm. M. Folger, Horace Elmer, B. P. Lamberton, John Schouler, F. E. Chadwick, S. H. Baker, T. F. Jewell, C. F. Schmitz, F. W. Dickins, G. F. F. Wilde, Chas. H. Davis, Chas. J. Train, George N. Flagg, Edwin White, O. F. Heyerman, H. C. Raebel, George W. Pigman, Sam'l L. Wilson, and Gustavus V. Menzies.

Also the following-named officers from the Volunteer service under the act of 25 July, 1866, to be masters in the Regular Navy, on the active list, viz:

To be masters.

E. S. Keyser, Thomas Nelson, De Witt C. Kells, Felix McCurley, John McGowan, G. C. Shulze, E. H. Miller, H. C. Nields, T. F. Wade, J. G. Green, George E. Wingate, Geo. R. Durand, Chas. A. Schetky, John K. Winn, T. M. Gardner, C. H. Rockwell, C. McAnthony, George F. Wilkins.

And the following-named ensigns to be masters in the Navy, on the active list, to fill vacancies in that grade, subject to the examinations required by the act of 21st April, 1864, viz:

To be masters.

G. A. Converse, F. M. Hendrix, R. B. Bradford, C. W. Breed, F. M. Barber, Jacob E. Noell, Chas. H. Black, Chas. D. Griswold, S. Hubbard, Geo. W. De Long, L. E. Chenery, F. A. Lyons, E. L. Amory, J. S. Newell, G. M. Hunter, J. E. Craig, A. H. Fletcher, Geo. Talcott, jr., C. M. Thomas, S. P. Baird, A. S. Snow, George C. Reiter, Wallace Graham, David N. Bell, R. D. Hitchcock, W. H. Brownson, H. E. Nichols, H. W. Gwinner, W. W. Mead, F. H. Parker, L. M. Ford, T. P. Wilson, Wm. H. Elliott, R. C. Hooker, E. S. Houston, B. L. Edes, F. M. Gove, Geo. M. Book, E. B. Thomas, E. Longnecker, J. A. Vaughan, M. B. Buford, Robert Impey, George E. Ide, A. H. Vail, J. M. Wilson, Thomas Perry, C. H. Stockton, Oscar White, L. A. Kingsley, J. K. P. Ragsdale, Isaac Hazlett.

And the following-named officers from the Volunteer service, under the act of 25 July, 1866, to be ensigns in the Regular Navy, on the active list, viz:

To be ensigns.

H. W. Grinnell, N. B. Willetts, Gilbert Morton, Wm. P. Randall, J. J. Brice, F. A. Miller, W. H. Mayer, O. W. Farenholt, A. J. Iverson, Wm. T. Buck, Joseph Marthon, E. T. Strong, W. J. Dumont, W. H. Brice, W. H. Webb, C. S. Coy, Ezra Leonard, D. G. McRitchie, Z. L. Tanner, Joseph E. Jones, Wm. Welch, Samnel Belden, J. H. Stimpson, H. R. Baker, E. W. Watson, J. F. Merry, W. W. Rhoades, J. C. Morong, Wm. C. Gibson, Wm. B. Arrants, Walter Sargent, Jas. A. Chesley, Wm. A. Morgan, Wm. L. Howorth.

ANDREW JOHNSON.

WASHINGTON CITY, *3d March*, 1868.

To the Senate of the United States:

I nominate James R. Roche, of the District of Columbia, to be register of deeds for the District of Columbia, vice Edward C. Eddie, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *March* 6, 1868.

To the Senate of the United States:

I respectfully request to withdraw the nomination of Volunteer officers to be incorporated in the Regular Navy, transmitted to the Senate on the 7th December, 1867.

ANDREW JOHNSON.

EXECUTIVE MANSION, *3d March*, 1868.

The messages were read.

Ordered, That the nomination of David M. Fleming be referred to the Committee on Finance.

Ordered, That the nominations of Charles McGregor and others be referred to the Committee on Naval Affairs.

Ordered, That the nomination of James R. Roche be referred to the Committee on the District of Columbia.

Mr. Wilson, from the Committee on Military Affairs and the Militia, to whom was referred, the 16th December last, the nominations of Asa B. Carey and Isaac S. Stewart, reported favorably thereon; and the 16th January last, that of James H. Carleton, reported adversely thereon.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 24th February last, the nomination of William C. Burt, reported favorably thereon.

On motion by Mr. Patterson, of Tennessee,

Ordered, That the Secretary request the President of the United States to return to the Senate its resolution that the Senate do not advise and consent to the appointment of Moses N. Wisewell.

Mr. Patterson, of Tennessee, submitted the following motion for consideration:

That the resolution that the Senate do not advise and consent to the appointment of Moses N. Wisewell, be reconsidered.

Mr. Sherman, from the Committee on Finance, to whom was referred, the 24 February last, the nomination of Augnstus Bradley, reported adversely thereon.

Mr. Patterson, of Tennessee, from the Committee on Finance, to whom was referred, the 5th February last, the nomination of T. W. Scott, reported adversely thereon.

Mr. Frelinghuysen, from the Committee on Naval Affairs, to whom were referred, the 6 March last, the nominations of Samuel K. Allen and Samuel Mercer, reported favorably thereon.

The Senate proceeded to consider the nomination of Samuel S. Cox and,

On motion by Mr. Wilson,

Ordered, That it be recommitted to the Committee on Finance.

MONDAY, MARCH 9, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary.

To the Senate of the United States:

I nominate Robert H. Lindsey to be deputy postmaster at Boise City, in the county of Ada and Territory of Idaho, in place of Howard Bledsoe, rejected by the Senate July 19, 1867.

ANDREW JOHNSON.

WASHINGTON, D. C., *March* 9, 1868.

I nominate Henry O. Montague to be deputy postmaster at Whitewater, in the county of Walworth and State of Wisconsin, in place of Rufus Cheeny, rejected by the Senate 10th Feb., 1868.

ANDREW JOHNSON.

WASHINGTON, D. C., *March* 9, 1868.

To the Senate of the United States:

I nominate Oliver Mungen, of Ohio, to be consul of the United States at Turk's Island, vice Edward Maynard, deceased.

ANDREW JOHNSON.

WASHINGTON, *March* 9, 1868.

To the Senate of the United States:

I nominate Cushman K. Davis to be attorney of the United States for the district of Minnesota, in the place of Henry L. Moss, whose term of office has expired.

ANDREW JOHNSON.

EXECUTIVE MANSION, *March* 3, 1868.

To the Senate of the United States:

I nominate Samuel W. Latta, of Pennsylvania, to be an assistant surgeon in the Navy, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON CITY, *March 5th*, 1868.

To the Senate of the United States:

I nominate Past Assistant Paymaster Robert P. Lisle to be a paymaster in the Navy, from the 11th of December, 1867, vice Paymaster John D. Gibson, retired.

ANDREW JOHNSON.

WASHINGTON CITY, *March 7th*, 1868.

To the Senate of the United States:

I nominate James W. Snyder to be assessor of internal revenue for the 24th district of New York, vice Joseph W. Gates, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *March 7th*, 1868.

To the Senate of the United States:

In compliance with the request of the Senate of the 6th instant, I return herewith their resolution of the 28th ultimo that the Senate do not advise and consent to the appointment of Moses N. Wisewell to be Commissioner of Internal Revenue.

ANDREW JOHNSON.

WASHINGTON, D. C., *March 7th*, 1868.

To the Senate of the United States:

I transmit a report of this date from the Secretary of State, and the accompanying papers, in regard to the revolution in the Dominican Republic.

ANDREW JOHNSON.

WASHINGTON, *March 5*, 1868.

The messages were read.

Ordered, That the nominations of Robert H. Lindsey and Henry O. Montague be referred to the Committee on Post-Offices and Post-Roads.

Ordered, That the nomination of Oliver Mungen be referred to the Committee on Commerce.

Ordered, That the nomination of Cushman K. Davis be referred to the Committee on the Judiciary.

Ordered, That the nominations of Samuel W. Latta and Robert P. Lisle be referred to the Committee on Naval Affairs.

Ordered, That the nomination of James W. Snyder be referred to the Committee on Finance.

Ordered, That the message of the President of the United States, together with the accompanying report of the Secretary of State relating to the revolution in the Dominican Republic, be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

Mr. Pomeroy, from the Committee on Public Lands, to whom was referred, the 24 February last, the nomination of George T. Martin, reported favorably thereon.

Mr. Trumbull, from the Committee on the Judiciary, to whom was referred, this day, the nomination of Cushman K. Davis, reported favorably thereon.

Whereupon,

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Howard submitted the following resolution; which was considered by unanimous consent and agreed to:

Resolved, That the injunction of secrecy be removed from the following documents and proceedings of the Senate sitting in executive session, to wit: The resolution of the Senate upon the nomination of Edwin M. Stanton to the office of Secretary of the Department of War; the message of the President of the United States informing the Senate that he had removed said Edwin M. Stanton from said office, and the resolution of the Senate thereon, and the notice directed to be served on the President of the U. S., or on Brigadier-General Lorenzo Thomas, touching the action of the Senate upon said message; that true copies, certified under the seal of the Senate, of the resolution of the Senate giving their advice and consent to the nomination of Edwin M. Stanton as Secretary of War, and of the President's message nominating him as such; of the President's message, dated the 12th of December, 1867, informing the Senate that he had suspended him from the exercise of the

office of Secretary of War; of the resolution of the Senate upon said message; of the notice directed to be served upon the President of the United States, upon said Edwin M. Stanton, and upon the General of the Army, touching said resolutions of the Senate; of the message of the President of the U. S., of February last, announcing that he had removed said Edwin M. Stanton from the office of Secretary of War, and had designated said Lorenzo Thomas as Secretary of War *ad interim*; of the resolution of the Senate upon said last-mentioned message and of the notice directed to be served upon the President of the United States, and upon said Lorenzo Thomas, be furnished by the Secretary of the Senate to the managers appointed by the House of Representatives to conduct the impeachment of Andrew Johnson, President of the United States.

TUESDAY, MARCH 10, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Thomas P. Miller, of Indiana, to be receiver of public moneys for the district of lands subject to sale at Indianapolis, Indiana, vice Wm. Boaz, whose term of office has expired.

ANDREW JOHNSON.

WASHINGTON, D. C., *March* 10, 1868.

To the Senate of the United States:

I transmit, for the consideration of the Senate, with a view to ratification, a treaty between the United States and His Majesty the King of Prussia, in the name of the North German Confederation, for the purpose of regulating the citizenship of those persons who emigrate from the Confederation to this country, and from the United States to the North German Confederation.

ANDREW JOHNSON.

WASHINGTON, *March* 10, 1868.

The messages were read.

Ordered, That the nomination of Thomas P. Miller be referred to the Committee on Public Lands.

The treaty between the United States and His Majesty the King of Prussia, concluded at Berlin the 22d February, 1868, was read the first time.

On motion by Mr. Sumner,

Ordered, That it be referred to the Committee on Foreign Relations, and with the message be printed in confidence for the use of the Senate.

WEDNESDAY, MARCH 11, 1868.

Mr. Edmunds, from the Committee on the Judiciary, to whom was referred, the 28 February last, the nomination of Charles Van Winkel, reported favorably thereon.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom were referred, the 9th instant, the nominations of Robert H. Lindsey and Henry O. Montague, reported favorably thereon, and, the 3d instant, that of Julius P. Dennis, reported adversely thereon.

Mr. Williams, from the Committee on Finance, to whom was referred, the 3d instant, the nomination of Lewis Wolfley, reported favorably thereon.

On motion by Mr. Conness,

The Senate proceeded to consider the nomination of J. Ross Browne; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Trumbull, from the Committee on the Judiciary, to whom was referred, the 28 February last, the nomination of Thomas Hood, reported favorably thereon.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 10th instant, the treaty between the United States and His Majesty the King of Prussia, regulating the citizenship of those persons who emigrate from the North German Confederation to this country, and from the United States to the North German Confederation, concluded at Berlin the 22d February, 1868, reported the same with an amendment.

On motion by Mr. Fessenden, the Senate proceeded to consider the nomination of Charles K. Tuckerman.

Pending debate, Mr. Hendricks raised the question of order, to wit, that it is not in order to refer in debate to what may have occurred in committee for the purpose of influencing the judgment of the Senate.

The President *pro tempore* overruled the question of order.

After further debate,

Mr. Hendricks raised the question of order, to wit, that it is not in order to refer, in debate, to what the Senate may do, sitting as a court of impeachment.

The President *pro tempore* decided the question of order to be well taken.

After further debate,

Resolved, That the Senate advise and consent to the appointment of Charles K. Tuckerman, agreeably to the nomination.

THURSDAY, MARCH 12TH, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate W. W. Thatcher to be assessor of internal revenue for the 8th district of Tennessee, in place of Halsey F. Cooper, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *March 11th*, 1868.

To the Senate of the United States:

I nominate John M. Corse to be collector of internal revenue for the 1st district of Illinois, in place of Orvin L. Mann, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *March 11th*, 1868.

To the Senate of the United States:

I nominate Josiah Dunham to be assessor of internal revenue for the 3d district of Massachusetts, in place of William S. King, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *March 11th*, 1868.

To the Senate of the United States:

I nominate W. R. R. Wyatt, of Alabama, to be receiver of public moneys for the district of lands subject to sale at Montgomery, Alabama, vice Thomas J. Tarlton, who declined the office.

ANDREW JOHNSON.

WASHINGTON, D. C., *March 12th*, 1868.

To the Senate of the United States:

I nominate Arthur Shepherd to be a justice of the peace in and for the county of Washington, District of Columbia.

ANDREW JOHNSON.

EXECUTIVE MANSION, *March 12th*, 1868.

The messages were read.

Ordered, That the nominations of W. W. Thatcher, John M. Corse, and Josiah Dunham be referred to the Committee on Finance.

Ordered, That the nomination of W. R. R. Wyatt be referred to the Committee on Public Lands.

Ordered, That the nomination of Arthur Shepherd be referred to the Committee on the District of Columbia.

Mr. Grimes, from the Committee on Naval Affairs, to whom were referred, the 6th instant, the nominations of Charles McGregor and others, reported favorably thereon.

Mr. Grimes, from the Committee on Naval Affairs, to whom were referred, the 11th December last, the nominations of Matthew R. Kintzing and others, reported favorably thereon.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Grimes, from the Committee on Naval Affairs, to whom were referred, the 9th instant, the nominations of Samuel W. Latta and Robert P. Lisle, and the 3d instant that of Benjamin P. Kidder, reported favorably thereon.

Mr. Edmunds, from the Committee on the Judiciary, to whom was referred, the 24th February last, the subject of the appointment of Noah L. Jeffries to be Register of the Treasury, submitted the following report; which was ordered to be printed in confidence for the use of the lowing Senate:

The Committee on the Judiciary, to whom was referred a message of the President of the United States, and a letter of the Secretary of the Treasury on the subject of the appointment of Noah L. Jeffries to be Register of the Treasury, respectfully report that the nomination of Mr. Jeffries was confirmed by resolution of the Senate on Wednesday, the 12th of February last. Pursuant to the rules of the Senate the resolution of confirmation was held until Friday, the 14th of February, when, at about the hour of 11 o'clock in the morning, it was transmitted to the President. Afterwards, on the same day, the 14th of February, a motion was made, pursuant to the rules of the Senate, to reconsider the resolution of confirmation, and an order was entered directing the Secretary to request the President to return the resolution of assent, which order was transmitted and delivered to the President on the same 14th of February, at about 5 o'clock in the afternoon, and is in the folform:

"IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
"*February* 14, 1868.

"*Resolved*, That the Secretary be directed to request the President of the United States to return to the Senate its resolution of the 12th in-

stant, advising and consenting to the appointment of Noah L. Jeffries to be Register of the Treasury.

"Attest:

"J. W. FORNEY,
"*Secretary.*"

In response to this latter resolution the President, on the 19th of February, returned to the Senate the resolution of confirmation, with a message transmitting a copy of a report upon the subject from the Secretary of the Treasury, from which it appears that the resolution of the Senate recalling its resolution of confirmation so delivered to the President on the 14th, was not actually received by the Secretary of the Treasury until the 15th, Saturday, and that on the 15th, and before the Secretary of the Treasury received said resolution, Mr. Jeffries had taken the oaths required by law, and had received his commission as Register of the Treasury; and from the same communication it appears that the commission to Mr. Jeffries was actually made out at the State Department on the 14th; but whether before or after the President received the recalling resolution of the Senate does not appear; but it was not transmitted to and received by the Treasury Department until the 15th, being the day after the President had notice that the Senate had under consideration the reconsideration of the nomination, and had recalled its resolution advising and consenting to the appointment.

The general course of business appears to be, in respect to appointments in the Treasury Department, to have the commissions signed at the Executive Mansion and entered up and recorded in the State Department and there sealed, as is required by law, and to then transmit the same to the Treasury Department for delivery to the officer upon his complying with the precedent requirements of law as to qualification, &c.

It thus appears that before Mr. Jeffries had been qualified or commissioned as required by law precedent to his entering upon the discharge of his functions under his permanent appointment the President of the United States, in whom the sole right of appointment, subject to the approval of the Senate, is vested by the Constitution, had received notice from the Senate that it had not finally acted upon the question of advising and consenting to the nomination, and withdrawing its resolution of assent to that appointment which had been transmitted to the President on the same day; and the committee are, therefore, of the opinion that the Senate may now lawfully reconsider its vote advising and consenting to the appointment if it shall see proper cause therefor. In this view of the case a majority of the committee were of opinion that it was inexpedient to enter upon an inquiry as to the matter of fact whether the issuing of the commission in this case and the qualification of the officer in question was hastened for any cause out of the usual course of business.

The message of the President and the letter of the Secretary of the Treasury are hereto appended and returned.

To the Senate of the United States:

In compliance with the request of the Senate, of the 14th instant, I return herewith their resolution of the 12th of February, advising and consenting to the appointment of Noah L. Jeffries as Register of the Treasury, and transmit a copy of a report upon the subject from the Secretary of the Treasury.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 19, 1868.

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
February 14, 1868.

Resolved, That the Secretary be directed to request the President of the United States to return to the Senate its resolution of the 12th instant, advising and consenting to the appointment of Noah L. Jeffries to be Register of the Treasury.

Attest: J. W. FORNEY,
Secretary.

TREASURY DEPARTMENT, *February* 17, 1868.

SIR: I received, on the 15th instant, the resolution of the Senate of the preceding day, requesting you to return to that body its resolution of the 12th instant, advising and consenting to the appointment of Noah L. Jeffries to be Register of the Treasury, and have to state, in reply, that in the ordinary transaction of business the commission was issued on the 14th instant by the State Department, and was received at this Department on the 15th instant.

General Jeffries had legally qualified and entered upon the discharge of the duties of his office prior to the receipt of the Senate resolution of the 14th instant, which, under these circumstances, is herewith returned.

I am, very respectfully,

H. McCULLOCH,
Secretary of the Treasury

The PRESIDENT.

Mr. Henderson, from the Committee on Finance, to whom were recommitted, the 5th February last, the nomination of Lemuel D. Evans, reported favorably thereon; and, the 4th December last, that of David M. Mills, reported adversely thereon.

The Senate, by unanimous consent, proceeded to consider the nominations of Chas. McGregor, Ira Harris, jr., D. R. Cassel, R. D. Evans, George W. Coffin. Henry Glass, E. J. Dichman, Wm. W. Maclay, P. H. Cooper, H. C. Taylor, A. D. Brown, Marston Niles, G. H. Wadleigh, J. D. Clark, A. S. Crowningshield, Charles H. Craven, Frank Wildes, W. W. Hendrickson, A. G. Kellogg, J. B. Coghlan, J. H. Sands, Yates Sterling, Wm. C. Wise, Lewis Clark, P. F. Harrington, Wm. B. Hoffman, Wm. K. Wheeler, Wm. S. Dana, Nicoll Ludlow, Francis A. Cook, Colby M. Chester, A. H. Wright, Charles E. Clark, Chas. J. Barclay, Chas. V. Gridley, Francis Morris, Chas. D. Sigsby, R. D. Leary, Wm. A. Van Vleck, Chas. H. Pendleton, Wm. H. Whiting, George M. McClure, Dennis W. Mullan, George T. Davis, George D. B. Gliddon, C. F. Goodrich, A. G. Caldwell, Chas. W. Kennedy, B. H. McCalla, F. E. Chadwick, S. H. Baker, T. T. Jewell, C. F. Schmitz, G. W. Armentrant, D. C. Woodrow, H. C. White, F. H. Sheppard, E. M. Stedman, J. C. Kennett, Wm. M. Folger, Horace Elmer, B. P. Lamberton, John Schonler, F. W. Dickins, G. F. F. Wilde, Chas. H. Davis, Chas. J. Train, George N. Flagg, Edwin White, O. F. Heyerman, H. C. Raebel, George W. Pigman, Sam'l L. Wilson, Gustavus V. Menzies, G. A. Converse, F. M. Hendrix, R. B. Bradford, C. W. Breed, F. M. Barber, Jacob E. Noell, Chas. H. Black, Chas. D. Griswold, S. Hubbard, George W. De Long, L. E. Chenery, T. A. Lyons, E. L. Amory, J. S. Newell, G. M. Hunter, J. E. Craig, A. H. Fletcher, Geo. Talcott, jr., C. M. Thomas, S. P. Baird, A. S. Snow, George C. Reiter, Wallace Graham, David N. Bell, R. D. Hitchcock, W. H. Brownson, H. E. Nichols, H. W. Gwinner, W. W. Mead, F. H. Parker, L. M. Ford, T. P. Wilson, Wm. H. Elliott, R. C. Hooker, E. S. Houston, B. L. Edes, F. M. Gove,

Geo. M. Book, E. B. Thomas, E. Longnecker, J. A. Vaughan, M. B. Buford, Robert Impey, George E. Ide, A. H. Vail, J. M. Wilson, Thomas Perry, C. H. Stockton, Oscar White, L. A. Kingsley, J. K. P. Ragsdale, and Isaac Hazlett; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate proceeded to consider the nominations of Asa B. Carey, William C. Burt, Samuel K. Allen, Samuel Mercer, George T. Martin, Thomas Hood, Charles Van Winkel, Robert H. Lindsey, Henry O. Montagne, Lewis Wolfley, and Isaac S. Stewart; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate proceeded to consider the nominations of Henry Gliem, T. W. Scott, and Julius P. Dennis; and

Resolved, That the Senate do not advise and consent to the appointment of the said persons.

On motion by Mr. Harlan,

Ordered, That the Committee on the District of Columbia be discharged from the further consideration of the nomination of Charles P. Webster.

Whereupon,

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

MONDAY, MARCH 16, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Gilbert L. Giberson to be a justice of the peace in and for the county of Washington, District of Columbia.

ANDREW JOHNSON.

EXECUTIVE MANSION, *March* 13, 1868.

To the Senate of the United States:

I nominate James E. Coulter to be assessor of internal revenue for the 9th district of New York, in place of Homer Franklin, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *March* 10, 1868.

To the Senate of the United States:

I nominate the following-named midshipmen to be ensigns in the Navy, to fill vacancies in that grade, and to be subject to the examinations required by the act of 21st April, 1864, viz:

To be ensigns.

F. McCormick, S. N. Kane, A. L. Spragne, Washburn Maynard, R. M. Cutts, Henry W. Lyon, J. H. Dayton, Asa Walker, M. R. S. Mackenzie, George M. Totten, Charles S. Sperry, Frank Courtis, William Watts, W. W. Reisinger, John C. Rich, Wm. T. Burwell, J. J. Hunker, J. C. Saley, H. C. Wisner, H. N. Manney, H. R. Wilson, C. L. Phillips, J. E. Morse, C. C. Todd, R. Waterman, Geo. A. Norris, J. R. Phelan, Wm. J. Moore, Wm. H. Parker, jr., B. S. Richards, H. W. McKee, F. Turnbull, J. Talbot, J. N. Hemphill, A. B. H. Lillie, Wm. McC. Little, M. B.

Field, F. Hanford, D. Roben, G. A. Baldy, F. W. Crocker, R. M. Berry, D. A. Stewart, A. A. Blair, S. W. Very, D. W. Davis, T. S. Williams, C. H. Judd, R. B. Peck, T. C. Terrell, G. A. Bicknell, J. M. Taft, S. F. Clarkson, M. S. Day, W. T. Swinburne, E. Woodman, A. B. Carter, H. Whelen, L. V. Housel, E. McCormack, Wm. H. Emory, C. T. Hutchins, S. M. Ackley, R. M. Lisle, B. McIlvaine, C. B. Gill, Geo. W. Coster, W. W. Gillpatrick, I. I. Yates, and C. T. Arnold.

ANDREW JOHNSON.

WASHINGTON, D. C., 10 *March*, 1868.

The messages were read.

Ordered, That the nomination of Gilbert L. Giberson be referred to the Committee on the District of Columbia.

Ordered, That the nomination of James E. Coulter be referred to the Committee on Finance.

Ordered, That the nomination of F. McCormick and others be referred to the Committee on Naval Affairs.

On motion by Mr. Edmunds,

Ordered, That the Secretary request the President of the United States to return to the Senate the resolution that the Senate advise and consent to the appointment of Charles Van Winkel.

Mr. Edmunds submitted the following motion for consideration:

That the resolution that the Senate advise and consent to the appointment of Charles Van Winkel be reconsidered.

On motion by Mr. Williams,

Ordered, That the resolution that the Senate advise and consent to the appointment of Lewis Wolfley be reconsidered.

Whereupon

Ordered, That the nomination of Lewis Wolfley be recommitted to the Committee on Finance.

On motion by Mr. Patterson, of Tennessee,

Ordered, That the Secretary request the President of the United States to return to the Senate its resolution that the Senate do not advise and consent to the appointment of T. W. Scott.

Mr. Patterson, of Tennessee, submitted the following motion for consideration:

That the resolution that the Senate do not advise and consent to the appointment of T. W. Scott be reconsidered.

Mr. Corbett, from the Committee on Indian Affairs, to whom was referred, the 3d instant, the nomination of Charles S. King, reported favorably thereon.

Whereupon

Resolved, That the Senate advise and consent to the appointment, agreeably to the nomination.

Mr. Morrill, of Maine, from the Committee on Commerce, to whom was referred, the 11 February last, the nomination of Charles Robinson, reported favorably thereon

Mr. Sumner from the Committee on Foreign Relations, to whom was referred, the 11th February last, the consular convention between the United States and His Majesty the King of Italy, concluded at Washington the 8th of February, 1868, reported the same without amendment.

The Senate proceeded to consider the nomination of Thomas Y. Field.

On the question, Will the Senate advise and consent to his appointment?

It was determined in the negative, { Yeas 10
Nays 24

On motion by Mr. Grimes,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Buckalew, Cameron, Cattell, Cole, Howe, McCreery, Patterson of Tennessee, Ramsey, Wade, Yates.

Those who voted in the negative are,

Messrs. Conkling, Conness, Corbett, Cragin, Doolittle, Drake, Edmunds, Fessenden, Grimes, Harlan, Henderson, Hendricks, Morgan, Morrill of Maine, Morrill of Vermont, Nye, Ross, Stewart, Tipton, Trumbull, Van Winkle, Willey, Williams, Wilson.

So it was

Resolved, That the Senate do not advise and consent to the appointment of Thomas Y. Field.

FRIDAY, MARCH 20, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Mahlon Wilkinson, of Dakota Territory, whose term of office has expired, to be agent for the Indians on the Upper Missouri and the country adjacent thereto.

ANDREW JOHNSON.

WASHINGTON, D. C., *March* 17, 1868.

To the Senate of the United States:

I nominate Lyman M. Newton to be collector of customs for the district of Genesee, in the State of New York, in place of James H. Kelly, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *March* 12*th*, 1868.

To the Senate of the United States:

I nominate Franklin Haven, jr., to be assistant treasurer of the United States at Boston, Massachusetts, in place of T. P. Chandler, whose commission has expired.

ANDREW JOHNSON.

WASHINGTON, D. C., *March* 12*th*, 1868.

To the Senate of the United States:

I nominate John Hancock to be collector of internal revenue for the 1st district of Louisiana, in place of James B. Steedman, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *March* 17*th*, 1868.

To the Senate of the United States:

I nominate W. W. Willis to be collector of internal revenue for the 3d district of Mississippi, vice B. H. Sheppard, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *March* 16*th*, 1868.

To the Senate of the United States:

I nominate Julis Newburg to be collector of internal revenue for the district of Idaho, in place of J. C. Geer, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *March* 16*th*, 1868.

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To the Senate of the United States:

I nominate Henry H. Green to be assessor of internal revenue for the district of New Mexico, in place of William Breedon, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *March 11th*, 1868.

To the Senate of the United States:

I nominate James B. Hubble to be collector of internal revenue for the district of Montana, vice N. P. Langford, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *March 17th*, 1868.

To the Senate of the United States:

I nominate A. Huggan to be attorney of the United States for the Territory of Idaho, in the place of George C. Hough, resigned.

ANDREW JOHNSON.

EXECUTIVE MANSION, *March* 17, 1868.

To the Senate of the United States:

I nominate Samuel E. Douglass to be a justice of the peace in and for the county of Washington, District of Columbia.

ANDREW JOHNSON.

EXECUTIVE MANSION, *March* 17, 1868.

To the Senate of the United States:

I nominate Munroe A. Blanchard, of Maine, to pension agent at Portland, Maine, vice Henry Willis, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *March* 19, 1868.

To the Senate of the United States:

I nominate William M. Daily, of Louisiana, to be receiver of public moneys for the district of lands subject to sale at New Orleans, Louisiana, vice Alexander L. Fields, rejected.

ANDREW JOHNSON.

WASHINGTON, D. C., *March* 19, 1868.

To the Senate of the United States:

I nominate Ed. H. Smith to be collector of internal revenue for the first district of South Carolina, in place of Samuel Mayrant, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *March 18th*, 1868.

To the Senate of the United States:

I nominate Walter E. Carlin to be assessor of internal revenue for the tenth district of Illinois, in place of James Fishback, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *March 4th*, 1868.

To the Senate of the United States:

I nominate John R. Drabell to be assessor of internal revenue for the second district of West Virginia, in place of Thomas Brown, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *March 19th*, 1868.

To the Senate of the United States:

I nominate J. O. P. Burnside to be Second Auditor of the Treasury, in place of E. B. French, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *March 19th*, 1868.

To the Senate of the United States:

I nominate John S. Watts to be chief justice of the supreme court of the Territory of New Mexico, in the place of John P. Slough, deceased.

ANDREW JOHNSON.

EXECUTIVE MANSION, *March* 19, 1868.

To the Senate of the United States:

I nominate Homer G. Plantz to be attorney of the United States for the southern district of Florida, his previous commission having expired.

ANDREW JOHNSON.

EXECUTIVE MANSION, *March* 19, 1868.

To the Senate of the United States:

I nominate Peter A. Callan, of New Jersey, to be an assistant surgeon in the Navy, to fill a vacancy in that grade.

ANDREW JOHNSON.

WASHINGTON CITY, 17 *March*, 1868.

To the Senate of the United States:

I nominate Captain Augustus L. Case to be a commodore in the Navy on the active list from the 8th December, 1867, vice Commodore Joseph Lanman, nominated for promotion;

Commander Charles H. B. Caldwell to be a captain in the Navy on the active list from the 12th December, 1867, vice Captain R. W. Meade, retired;

Commander Henry K. Davenport to be a captain in the Navy on the active list from the 14 March, 1868, vice Captain John De Camp, retired;

Lieutenant-Commander Oscar F. Stanton to be a commander in the Navy on the active list from the 12th December, 1867, vice Commander C. H. B. Caldwell, nominated for promotion; and

Lieutenant-Commander Bushrod B. Taylor to be a commander in the Navy on the active list from the 14th March, 1868, vice Henry K. Davenport, nominated for promotion.

ANDREW JOHNSON.

WASHINGTON CITY, 19 *March*, 1868.

To the Senate of the United States:

I withdraw the nomination of Henry G. Worthington to be judge of the United States district court for the district of Nebraska, which was submitted to the Senate on the 28th day of January, 1868.

ANDREW JOHNSON.

WASHINGTON, D. C., *March 18th*, 1868.

To the Senate of the United States:

In compliance with the request of the Senate of the 16th instant, I return herewith their resolution of the 12th instant, consenting to the appointment of Charles Van Winkel as marshal of the United States for the district of Virginia.

ANDREW JOHNSON.

WASHINGTON, D. C., *March* 18, 1868.

To the Senate of the United States:

In compliance with the request of the Senate of the 16th instant, I return herewith their resolution of the 12th instant, "that the Senate do not advise and consent to the appointment of T. W. Scott, of Tennessee, to be consul of the United States at Matamoras."

ANDREW JOHNSON.

WASHINGTON, D. C., *March* 18, 1868.

To the Senate of the United States:

I herewith lay before the Senate, for its constitutional action thereon, a treaty made on the 2d day of March, 1868, by and between Nathaniel G. Taylor, Commissioner of Indian Affairs; Alexander C. Hunt, governor and ex-officio superintendent of Indian affairs of Colorado Territory, and Kit Carson, on the part of the United States, and the representatives of the Tabequache, Muache, Capote, Weeminuche, Yampa, Grand River, and Uintah bands of Ute Indians.

A letter of the Secretary of the Interior of the 17th instant, and the papers therein referred to, are also herewith transmitted.

ANDREW JOHNSON.

WASHINGTON, D. C., *March* 18, 1868.

The messages were read.

Ordered, That the nomination of Mahlon Wilkinson be referred to the Committee on Indian Affairs.

Ordered, That the nomination of Lyman M. Newton be referred to the Committee on Commerce.

Ordered, That the nominations of Franklin Haven, jr., John Hancock, W. W. Willis, Julius Newburg, Henry H. Green, James B. Hubble, Ed. H. Smith, Walter E. Carlin, John R. Drabell, and J. O. P. Burnside be referred to the Committee on Finance.

Ordered, That the nominations of A. Huggan, John S. Watts, and Homer G. Plantz be referred to the Committee on the Judiciary.

Ordered, That the nominations of Peter A. Callan and Augustus L. Case and others be referred to the Committee on Naval Affairs.

The treaty between the United States and the Tabequache and other tribes of Indians, made at the city of Washington the 2d day of March, 1868, was read the first time.

On motion by Mr. Henderson,

Ordered, That that the said treaty be referred to the Committee on Indian Affairs, and, with the accompanying papers, be printed in confidence for the use of the Senate.

The Senate, by unanimous consent, proceeded to consider the nomination of Munroe A. Blanchard; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Frelinghuysen, from the Committee on Naval Affairs, to whom was referred, the 16th instant, the nominations of F. McCormick and others, reported favorably thereon.

Mr. Morgan, from the Committee on Finance, to whom was referred, the 9th instant, the nomination of James W. Snyder, reported adversely thereon.

Mr. Wilson, from the Committee on Military Affairs and the Militia, to whom were referred, the 20 January last, the nominations of James W. Sunderland, John B. Babcock and others, Andrew Geddes and others, Lucius H. Warren and others, Lucius H. Warren and others, John R. Lewis and others, Theophilus F. Rodenbough, Charles Mason,

John T. Harrison and others, Solon A. Carter and others, Israel Moses and others, Wm. Dudley and others, Erastus Blakeslee and others, reported favorably thereon.

The treaty between the United States and His Majesty the King of Prussia, regulating the citizenship of those persons who emigrate from the North German Confederation to this country and from the United States to the North German Confederation, concluded at Berlin, the 22d February, 1868, was read the second time and considered as in Committee of the Whole, and the amendment reported from the Committee on Foreign Relations was concurred in.

TUESDAY, MARCH 24, 1868.

Mr. Chandler, from the Committee on Commerce, to whom was referred, the 28 January last, the nomination of Francis Price, reported favorably thereon.

Mr. Frelinghuysen, from the Committee on Naval Affairs, to whom were referred, the 20th instant, the nomination of Augustus L. Case and others, reported favorably thereon.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Morgan, from the Committee on Finance, to whom were referred, the 14 February last, the nomination of Moses S. Foote, and the 20th instant that of W. W. Willis, reported favorably thereon.

Mr. Morrill, from the Committee on Commerce, to whom were referred, the 4 December last, the nominations of John G. Bond and Levi Coit and others, and the 16 January last that of William F. Kilgore, reported favorably thereon; and the 4th December last that of Frank Burr, reported adversely thereon.

Mr. Van Winkle, from the Committee on Finance, to whom was referred, the 20th instant, the nomination of John R. Drabell, reported favorably thereon.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Edmunds,

Ordered, That he have leave to withdraw the motion submitted by him the 16th instant, that the resolution that the Senate advise and consent to the appointment of Charles Van Winkle be reconsidered.

On motion by Mr. Hendricks,

Ordered, That the injunction of secrecy be removed from the proceedings of the Senate on the ratification of the treaty with the Miami Indians in 1854 and the amendments.

The Senate proceeded to consider the nominations of Benjamin H. Kidder, F. T. Sherman, Edgar H. Bates, John S. Gallaher, James A. Kennedy, Samuel W. Latta, Robert P. Lisle, Lemuel D. Evans, Charles Robinson, James W. Sunderland, John B. Babcock and others, Andrew Geddes and others, Lucius H. Warren and others (to be majors by brevet), Lucius H. Warren and others (to be lieut.-colonels by brevet), John R. Lewis and others, Thehopilus F. Rodenbough, Charles Mason, John T. Harrison and others, Solon A. Carter and others, Israel Moses and others, William Dudley and others, and Erastus Blakeslee and others, F. McCormick and others, N. Mayo Dryer, F. M. Green, Edward Hooker, H. H. Gorringe, A. W. Muldam, J. S. Cony, Charles O'Neil, E. S. Keyser, Thomas Nelson, DeWitt C. Kells, Felix McCurley, John McGowan,

G. C. Shulze, E. H. Miller, H. C. Hields, T. F. Wade, J. G. Green, Geo. E. Wingate, Geo. R. Durand, Chas. A. Schetky, John R. Winn, T. M. Gardner, C. H. Rockwell, C. M. Anthony, George F. Wilkins, H. W. Grinnell, N. B. Willetts, Gilbert Morton, Wm. P. Randall, J. J. Brice, F. A. Miller, W. H. Mayer, O. W. Fahrenholt, C. J. Iverson, Wm. T. Buck, Joseph Marthon, E. T. Strong, W. J. Dumont, W. H. Brice, W. H. Webb, C. S. Coy, Ezra Leonard, D. G. McRitchie, Z. L. Tanner, Joseph E. Jones, Wm. Welch, Samuel Belden, J. H. Stimpson, H. R. Baker, E. W. Watson, J. F. Merry, W. W. Rhoades, J. C. Morong, Wm. O. Gibson, Wm. B. Arrants, Walter Sargent, Jas. H. Chesley, Wm. A. Morgan, and Wm. L. Howarth; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate proceeded to consider the nominations of Uriah Mulliken, Augustus Bradley, David M. Mills, and James W. Snyder; and

Resolved, That the Senate do not advise and consent to the appointment of the said persons.

The Senate proceeded to consider the nomination of Killian V. Whaley; and on the question to agree to his appointment,

Ordered, That the said nomination be recommitted to the Committee on Commerce.

The Senate proceeded to consider the nomination of James H. Carleton; and on the question to agree to his appointment,

Ordered, That the said nomination be recommitted to the Committee on Military Affairs and the Militia.

The Senate proceeded to consider the nomination of Samuel S. Smead; and

On the question to agree to his appointment,

Ordered, That the said nomination be recommitted to the Committee on Finance.

On motion by Mr. Trumbull,

Ordered, That the resolution that the Senate advise and consent to the appointment of F. T. Sherman be reconsidered.

Whereupon

On motion by Mr. Trumbull,

Ordered, That the nomination lie on the table.

The Senate resumed, as in Committee of the Whole, the consideration of the treaty between the United States and his Majesty the King of Prussia, regulating the citizenship of those persons who emigrate from the North German Confederation to this country and from the United States to the North German Confederation, concluded at Berlin, the 22 February, 1868.

On motion by Mr. Howard,

That the first article be amended by striking out from the first clause the words: "And shall have resided uninterruptedly within the United States five years," and by striking out from the second clause the words: "And shall have resided uninterruptedly within North Germany, five years."

WEDNESDAY, MARCH 25TH, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Robert A. Marmion, of West Virginia, to be an assistant surgeon in the Navy, to fill a vacancy in that grade.

ANDREW JOHNSON.

WASHINGTON CITY, 21 *March*, 1868.

To the Senate of the United States:

I nominate Second Assistant Engineers H. D. McEwan and David Jones, to be 1st assistant engineers in the Navy, and Third Assistant Engineers R. D. Taylor and C. F. Nagle, to be second assistant engineers in the Navy, to fill vacancies in their respective grades.

ANDREW JOHNSON.

WASHINGTON CITY, 20 *March*, 1868.

To the Senate of the United States:

I nominate Commodore Joseph Lanman to be a rear admiral in the Navy, on the active list, from the 8th of December, 1867, vice Rear-Admiral James S. Palmer, deceased.

ANDREW JOHNSON.

WASHINGTON CITY, 18 *December*, 1867.

To the Senate of the United States:

I nominate Major Charles G. McCawley to be a lieutenant-colonel in the Marine Corps from the 5th December, 1867, vice Lieutenant-Colonel M. R. Kintzing, promoted to colonel.

ANDREW JOHNSON.

WASHINGTON CITY, 19 *March*, 1868.

To the Senate of the United States:

I nominate Robert Sherman to be marshal of the United States for the district of Rhode Island, his previous commission having expired.

ANDREW JOHNSON.

EXECUTIVE MANSION, *March 24th*, 1868.

To the Senate of the United States:

I transmit to the Senate for its consideration, with a view to ratification, a convention, signed on the 23d instant, for the surrender of criminals between the United States and the Government of Italy.

ANDREW JOHNSON.

WASHINGTON, *March* 24, 1868.

The messages were read.

Ordered, That the nominations of Robert A. Marmion, H. D. McEwan, Joseph Lanman, and Ch's G. McCawley be referred to the Committee on Naval Affairs.

The convention between the United States of America and his Majesty the King of Italy, for the surrender of criminals, concluded at Washington, the 23d March, 1868, was read the first time.

On motion by Mr. Sumner,

Ordered, That the said convention be referred to the Committee on Foreign Relations and, with the message, be printed in confidence for the use of the Senate.

On motion by Mr. Anthony,

The Senate proceeded, by unanimous consent, to consider the nomination of Robert Sherman; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Harlan submitted the following motion for consideration: That the resolution that the Senate do not advise and consent to the appointment of David M. Mills, be reconsidered.

The Senate proceeded to consider the nominations of John G. Bond, Levi Coit, George W. Bailey, Charles A. Abbey, Joseph K. Kelso,

Walter Walton, Frederick M. Munger, M. Grant Woodward, Henry L. Bennett, Wm. C. Coulson, Rich'd Canfield, William F. Kilgore, and W. W. Willis, and Moses S. Foote; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate resumed, as in Committee of the Whole, the consideration of the treaty between the United States and His Majesty the King of Prussia, regulating the citizenship of those persons who emigrate from the North German Confederation to this country and from the United States to the North German Confederation, concluded at Berlin the 22d February, 1868.

On the question to agree to the amendment proposed by Mr. Howard on the 24th instant, to wit: Strike out from the first clause of the first article the words "and shall have resided uninterruptedly within the United States five years," and from the second clause thereof the words "and shall have resided uninterruptedly within North Germany five years."

It was determined in the negative, { Yeas..... 8
Nays..... 21

Those who voted in the affirmative are,

Messrs. Buckalew, Corbett, Harlan, Howard, Howe, McCreery, Thayer, Wade.

Those who voted in the negative are,

Messrs. Anthony, Cameron, Cattell, Cole, Cragin, Edmunds, Fessenden, Frelinghuysen, Johnson, Morgan, Morrill of Vermont, Nye, Patterson of N. H., Ross, Stewart, Sumner, Trumbull, Van Winkle, Willey, Williams, Wilson.

So the amendment was not agreed to.

Mr. Howe proposed to amend the first article by inserting, at the end thereof, a proviso as follows:

Provided, That nothing in this article shall be construed as impairing the rights of citizenship of such soldiers heretofore discharged from the military service as have been or may be naturalized under the act approved July 17, 1862, *entitled an act to define the pay and emoluments of certain officers of the Army and for other purposes.*

After debate,

On motion by Mr. Howard that the Senate do now adjourn,

It was determined in the negative, { Yeas..... 7
Nays..... 18

On motion by Mr. Howard,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Howard, Howe, McCreery, Nye, Ross, Thayer, Wade.

Those who voted in the negative are,

Messrs. Anthony, Cameron, Cattell, Cole, Corbett, Cragin, Edmunds, Harlan, Johnson, Morgan, Morrill of Vt., Patterson of N. H., Stewart, Sumner, Trumbull, Van Winkle, Willey, Wilson.

It appearing that no quorum was present,

On motion by Mr. Sherman,

The Senate adjourned.

THURSDAY, MARCH 26, 1868.

The Senate resumed, as in Committee of the Whole, the consideration of the treaty between the United States and His Majesty the King of Prussia, regulating the citizenship of those persons who emigrate from the North German Confederation to this country and from the United

States to the North German Confederation, concluded at Berlin, the 22d February, 1868.

On the question to agree to the amendment proposed by Mr. Howe, the 25th instant, to wit: Insert at the end of article first a proviso, as follows:

Provided, That nothing in this article shall be construed as impairing the rights of such soldiers heretofore discharged from the military service, as have been, or may be, naturalized under the act approved July 17, 1862, entitled, an act to define the pay and emoluments of certain officers of the Army, and for other purposes,

It was determined in the negative, { Yeas..... 16
Nays..... 29

Those who voted in the affirmative are,

Messrs, Bayard, Buckalew, Chandler, Dixon, Fowler, Harlan, Hendricks, Howard, Howe, McCreery, Norton, Patterson of Tenn., Ross, Thayer, Tipton, Wade.

Those who voted in the negative are,

Messrs. Cameron, Cattell, Cole, Corbett, Cragin, Davis, Edmunds, Fessenden, Frelinghuysen, Grimes, Henderson, Johnson, Morgan, Morrill of Maine, Morrill of Vermont, Martin, Nye, Patterson of N. H., Pomeroy, Ramsey, Sherman, Stewart, Sumner, Trumbull, Van Winkle, Willey, Williams, Wilson, Yates.

So the amendment was not agreed to.

The treaty having been heretofore amended, and no further amendments being proposed it was reported to the Senate.

On the question to concur in the amendment made in the Committee of the Whole,

It was determined in the affimative.

No further amendment being proposed,

On the question, Will the Senate advise and consent to the ratification of the treaty?

It was determined in the affirmative, { Yeas..... 39
Nays..... 8

Those who voted in the affirmative are,

Messrs. Bayard, Cameron, Cattell, Chandler, Cole, Conkling, Corbett, Cragin, Davis, Dixon, Edmunds, Ferry, Fessenden, Frelinghuyson, Grimes, Harlan, Henderson, Hendricks, Johnson, Morgan, Morrill of Maine, Morrill of Vermont, Morton, Norton, Nye, Patterson of N. H., Pomeroy, Ramsey, Ross, Sherman. Stewart, Sumner, Trumbull, Van Winkle, Wade, Willey, Williams, Wilson, Yates.

Those who voted in the negative are,

Messrs. Buckalew, Fowler, Howard, McCreery, Patterson of Tenn., Saulsbury, Thayer, Tipton.

So, two-thirds of the Senators present agreeing thereto, it was

Resolved, That the Senate advise and consent to the ratification of the treaty between the United States and his Majesty the King of Prussia, regulating the citizenship of those persons who emigrate from the North German Confederation to this country and from the United States to the North German Confederation, concluded at Berlin the 22d February, with the following amendment:

At the end of the first article insert, *This article shall apply as well to those already naturalized in either country, as to those hereafter naturalized.*

Ordered, That the Secretary lay the said resolution before the President of the United States.

On motion by Mr. Pomeroy,

Ordered, That the Secretary request the President of the United States to return to the Senate the resolution advising and consenting to the appointment of Edgar H. Bates.

Mr. Pomeroy submitted the following motion for consideration:

That the resolution advising and consenting to the appointment of Edgar H. Bates be reconsidered.

Mr. Chandler presented the following motion for consideration:

That the resolution advising and consenting to the appointment of Moses S. Foote be reconsidered.

WEDNESDAY, APRIL 1, 1868.

Mr. Sherman, from the Committee on Finance, to whom was referred, the 20th March, the nomination of John Hancock, reported adversely thereon.

Whereupon

Resolved, That the Senate do not advise and consent to the appointment of John Hancock.

SATURDAY, APRIL 4TH, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Elmer S. Dundy to be judge of the United States district court for the district of Nebraska.

ANDREW JOHNSON.

WASHINGTON, D. C., *April* 7, 1868.

To the Senate of the United States:

I nominate Richard T. Miller to be associate justice of the supreme court of Idaho Territory in the place of John Cummins, removed.

ANDREW JOHNSON.

EXECUTIVE MANSION, *March* 26, 1868.

To the Senate of the United States:

I nominate Charles S. Hull to be collector of customs for the district of Stonington, in the State of Connecticut, in place of Horace N. Trumbull, whose commission has expired.

ANDREW JOHNSON.

WASHINGTON, D. C., *March* 26, 1868.

To the Senate of the United States:

I nominate Alfred Allen, of Kentucky, to be consul of the United States at Foo Chow, China, in place of A. Canfield, deceased.

ANDREW JOHNSON.

WASHINGTON, 26*th March*, 1868.

To the Senate of the United States:

I nominate Alexander Spaulding to be collector of internal revenue for the eighth district of New York, in place of Thomas E. Smith, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *March* 27, 1868.

To the Senate of the United States:

I withdraw the nomination of Butler H. Bixby to be collector of internal revenue for the eighth district of New York, submitted to the Senate on the 14th of January, 1868.

ANDREW JOHNSON.

WASHINGTON, D. C., *March* 27, 1868.

The messages were read.

Ordered, That the nominations of Elmer S. Dundy and Richard T. Miller be referred to the Committee on the Judiciary.

Ordered, That the nominations of Charles S. Hull and Alfred Allen be referred to the Committee on Commerce.

Ordered, That the nomination of Alexander Spaulding be referred to the Committee on Finance.

Mr. Morgan, from the Committee on Finance, to whom was referred this day the nomination of Alexander Spaulding, reported favorably thereon.

Wherenpon

Resolved, That the Senate advise and consent to his appointment.

Mr. Nye submitted the following motion for consideration:

That the resolution advising and consenting to the appointment of Alexander Spaulding be reconsidered.

On motion by Mr. Howard,

Ordered, That the injunction of secrecy be removed from the following documents received from the President, and that certified copies of the same be furnished by the Secretary to the managers on the part of the House of Representatives for the purposes of the pending trial of the impeachment of Andrew Johnson, President of the United States, under the seal of the Senate, viz:

Message of the President of the United States, dated December 16, 1867, relative to the suspension of John H. Anderson from the office of collector of internal revenue for the 4th district of Virginia;

Message of the President of the United States, dated December 16th, 1867, relative to the suspension of John H. Patterson from the office of assessor of internal revenue for the 4th district of Virginia;

Message of the President of the United States, dated December 17th, 1867, relative to the suspension of Charles Lee Moses from the duties of consul at Brunai, Borneo;

Message of the President of the United States, dated January 13th, 1868, relative to the suspension of Charles H. Hopkins from the office of assessor of internal revenue for the 1st district of Georgia;

Message of the President of the United States, dated December 19, 1867, relative to the suspension from office of John B. Lowrey, postmaster at Danville, Virginia; and

The resolution of the Senate upon the President's message announcing that he had removed Edwin M. Stanton from the office of Secretary of the Department of War.

TUESDAY, APRIL 7, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Hedgeman Slack to be marshal of the United States for the district of West Virginia in the place of E. M. Norton, resigned.

ANDREW JOHNSON.

EXECUTIVE MANSION, *March* 31, 1868.

To the Senate of the United States:

I nominate William S. Willes, of New Jersey, to be an assistant surgeon in the Navy, to fill a vacancy in that grade.

ANDREW JOHNSON.

WASHINGTON CITY, 27 *March*, 1868.

To the Senate of the United States:

I nominate John Ayers, of New Mexico, to be agent for the Indians in New Mexico, vice Louis M. Baca.

ANDREW JOHNSON.

WASHINGTON, D. C., *March* 27, 1868.

To the Senate of the United States:

I nominate Nicolos Quintana, of New Mexico, to be agent for the Indians in New Mexico, vice John D. Henderson, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *March* 27, 1868.

To the Senate of the United States:

I nominate A. K. Osborne to be collector of internal revenue for the 5th district of Wisconsin, in place of William Johnson, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *March* 27, 1868.

To the Senate of the United States:

I nominate William M. Murphy to be collector of internal revenue for the sixth district of Kentucky, vice James I. Hudnall, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *April* 1*st*, 1868.

To the Senate of the United States:

I nominate John W. Barnaclo to be a justice of the peace in and for the County of Washington, District of Columbia, his previous commission having expired.

ANDREW JOHNSON.

EXECUTIVE MANSION, *March* 31, 1868.

To the Senate of the United States:

I nominate Porteus P. Bielby, of New York, to be an assistant surgeon in the Navy, to fill a vacancy in that grade.

ANDREW JOHNSON.

WASHINGTON CITY, 31 *March*, 1868.

To the Senate of the United States:

I nominate Second Lieutenant Joseph R. Delan, of the revenue cutter service, to be first lieutenant, vice James Hill, deceased.

Also, Third Lieutenant Russell Glover, of same service, to be second lieutenant, vice Joseph R. Delan, promoted.

And Charles T. Shoemaker, to be third lieutenant, vice Russell Glover, promoted.

ANDREW JOHNSON.

WASHINGTON, *April* 4, 1868.

To the Senate of the United States:

I nominate John B. Winstandley to be assessor of internal revenue for the second district of Indiana, to fill a vacancy existing since the close of the second session of the Thirty-ninth Congress.

ANDREW JOHNSON.

WASHINGTON, D. C., *April 3d*, 1868.

To the Senate of the United States:

I nominate R. H. Cochran to be assessor of internal revenue for the 6th district of Kentucky, in place of J. Crockett Sayers, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *April* 4, 1868.

To the Senate of the United States:

I nominate the person herein named for appointment in the Army of the United States, he having passed the examination required by law.

Otho W. Budd, of Virginia, to be second lieutenant in the Fourth Regiment United States Cavalry, March 21, 1868, vice Vernon, promoted.

ANDREW JOHNSON.

WASHINGTON, *April* 6, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment in the Army of the United States, they having passed the examination required by law.

Sergeant-Major Richard Summers, of the Twenty-seventh Regiment United States Infantry, to be second lieutenant in the Twenty-seventh Regiment United States Infantry, March 2, 1868, vice McCarthy, appointed first lieutenant.

Private Edmund T. Ryan, of the general service, to be second lieutenant in the Fifteenth Regiment United States Infantry, November 20, 1867, vice Brinkerhoff, promoted.

John C. Graham, of Pennsylvania, to be second lieutenant in the Third Regiment United States Cavalry, February 25, 1868, vice Ennis, promoted.

A. D. Bache Smead, of Pennsylvania, to be second lieutenant in the Fourth Regiment United States Cavalry, February 21, 1868, vice Wing, deceased.

Henry C. Johnson, late of Company I, Sixty-ninth Ohio Volunteers, to be second lieutenant in the Forty-fifth Regiment United States Infantry, February 19, 1868, vice Foot, resigned.

William L. Clarke, of Delaware, to be second lieutenant in the Thirty-sixth Regiment United States Infantry, November 20, 1867, vice Liddell, resigned.

James C. Edgar, late first lieutenant of the First New Mexican Volunteers, to be second lieutenant in the Ninth Regiment United States Cavalry, September 12, 1867, vice Smith, promoted.

ANDREW JOHNSON.

WASHINGTON, *March* 28, 1868.

To the Senate of the United States:

I nominate the person herein named for reinstatement in the Army of the United States, the order dismissing him having been revoked.

First Regiment of Infantry.

John L. Spaulding, late first lieutenant in the First Regiment of Infantry, to be first lieutenant, to rank from August 1, 1866.

ANDREW JOHNSON.

WASHINGTON, *April* 6, 1868.

To the Senate of the United States:

I nominate the officer herein named for appointment in the Army of United States, he having passed the examination required by law.

Forty-first Regiment of Infantry.

Second lieutenant Henry W. Lawton to be first lieutenant, July 31, 1867, to fill an original vacancy.

ANDREW JOHNSON.

WASHINGTON, *March* 28, 1868.

NOTE.—The above is submitted in lieu of that of December 3, 1867, nominating Lieutenant Lawton for promotion to rank from July 1, 1867, vice Schwenck, the regimental adjutant, a change of date having become necessary in consequence of an error having been committed in computing the length of service of Lieutenant Edward Donovan.

To the Senate of the United States:

I nominate the officers herein named for promotion in the Army of the United States.

Forty-first Regiment of Infantry.

Second Lieutenant Edward Donovan to be first lieutenant, July 1, 1867, vice Schwenk the regimental adjutant.

Second Lieutenant Robert Neely to be first lieutenant, September 20, 1867, vice Ingraham, deceased.

Forty-third Regiment of Infantry.

Second Lieutenant William J. Dawes to be first lieutenant, July 20, 1867, vice Johnson, the regimental quartermaster.

ANDREW JOHNSON.

WASHINGTON, *March* 28, 1868.

NOTE.—An error having occurred in computing the length of service of Edward Donovan as second lieutenant Forty-first Infantry, under the provisions of the act of March 2, 1867, the above nomination of Lieutenant Donovan and Neely is submitted in lieu of those of December 3, 1868, nominating the former for promotion to rank from September 20, 1867, vice Ingraham, deceased, and the latter for appointment to rank from July 31, 1867, to fill an original vacancy, in order that their names may be properly placed on the Army Register.

To the Senate of the United States:

I nominate the officers herein named for promotion in the Army of the United States.

Medical Department.

Assistant Surgeon Charles E. Goddard to be surgeon, January 6, 1868, vice L. Taylor, deceased.

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Second Regiment of Cavalry.

First Lieutenant James Egan to be captain, February 5, 1868, vice Cahill, deceased.

Second Lieutenant Albert J. Neff to be first lieutenant, November 1, 1867, vice Grugan, the regimental quartermaster.

Fourth Regiment of Cavalry.

First Lieutenant Neil J. McCafferty to be captain, January 13, 1868, vice Bowman, deceased.

Second Lieutenant Charles A. Vernon to be first lieutenant, January 13, 1868, vice McCafferty, promoted.

Second Lieutenant George A. Thurston to be first lieutenant, February 15, 1868, vice Hick, the regimental quartermaster.

Fifth Regiment of Cavalry.

Second Lieutenant John B. Babcock to be first lieutenant, February 14, 1868, vice Stockton, resigned.

Seventh Regiment of Cavalry.

Second Lieutenant Edward S. Godfrey to be first lieutenant, February 1, 1868, vice Commagere, resigned.

First Regiment of Artillery.

Second Lieutenant Hiero B. Herr to be first lieutenant, February 17, 1868, vice Olcott, cashiered.

First Regiment of Infantry.

Captain George Gibson, jr., of the Eleventh Infantry, to be major, January 12, 1868, vice Nelson, promoted to the Fifth Infantry.

Fifth Regiment of Infantry.

Major Anderson D. Nelson, of the First Infantry, to be lieutenant-colonel, January 12, 1868, vice Sykes, promoted to the Twentieth Infantry.

Sixth Regiment of Infantry.

First Lieutenant Jeremiah P. Schindel to be captain, February 25, 1868, vice McCleary, deceased.

Second Lieutenant Frederick W. Thibaut to be first lieutenant, February 25, 1868, vice Schindel, promoted.

Ninth Regiment of Infantry.

Second Lieutenant Asa B. Gardner to be first lieutenant, February 14, 1868, vice Smith, who resigned his regimental commission only.

Eleventh Regiment of Infantry.

First Lieutenant Oscar Hagen to be captain, January 12, 1868, vice Gibson, promoted to the First Infantry.

Nineteenth Regiment of Infantry.

Second Lieutenant Charles M. Clarke to be first lieutenant, January 13, 1868, vice Sloan, resigned.

Twentieth Regiment of Infantry.

Lieutenant-Colonel George Sykes, of the Fifth Infantry, to be colonel, January 12, 1868, vice Steele, deceased.

Twenty-fourth Regiment of Infantry.

Second Lieutenant Edward T. Wallace to be first lieutenant, February 7, 1868, vice Conyngham, deceased.

Twenty-seventh Regiment of Infantry.

First Lieutenant Reuben N. Fenton to be captain, January 8, 1868, vice Powell, retired.

Second Lieutenant Paul Harwood to be first lieutenant, January 8, 1868, vice Fenton, promoted.

Thirtieth Regiment of Infantry.

First Lieutenant James Jackson to be captain, February 17, 1868, vice Morgan, retired.

Second Lieutenant Patrick H. Breslin to be first lieutenant, February 17, 1868, vice Jackson, promoted.

Second Lieutenant Thomas D. Murrin to be first lieutenant, February 17, 1868, he being the regimental quartermaster.

Thirty-third Regiment of Infantry.

First Lieutenant Theodore Kendall to be captain, August 24, 1867, vice Occleston, deceased.

Second Lieutenant Joseph L. Tull to be first lieutenant, August 24, 1867, vice Kendall, promoted.

Forty-first Regiment of Infantry.

Second Lieutenant Thomas Sharp to be first lieutenant, February 14, 1868, vice Williams, resigned.

Forty-third Regiment of Infantry.

Second Lieutenant Frank D. Garretty to be first lieutenant, January 11, 1868, vice Palmer, dismissed.

ANDREW JOHNSON.

WASHINGTON, *March 30th*, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be first lieutenants by brevet.

Second Lieutenant George A. Drew, of the Tenth Regiment United States Infantry, for gallant and meritorious services in the campaigns in the Shenandoah Valley in 1864, to date from March 2, 1867.

Second Lieutenant John W. Bean, of the Thirty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Fredericksburg, Va., to date from March 2, 1867.

Second Lieutenant Warren R. Dunton, of the Second Regiment United States Infantry, for gallant and meritorious services in the battle of Fredericksburg, Va., to date from March 2, 1867.

Second Lieutenant Ira W. Trask, of the Ninth Regiment United States Cavalry, for gallantry at the battle of Mechanicsville, Va., June, 1862, to date from June 18, 1867.

Second Lieutenant John G. Leefe, of the Nineteenth Regiment United States Infantry, for gallant and meritorious services in the battle of the Opequan, to date from March 2, 1867.

Second Lieutenant Andrew C. Bayne, of the Forty-second Regiment United States Infantry, for gallant and meritorious services in the battle of Marye's Heights, to date from March 2, 1867.

Second Lieutenant Gustave Maguitzky, of the Thirty-ninth Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 7, 1867.

Second Lieutenant Albion Howe, of the Fourth Regiment United States Artillery, for gallant and distinguished services in the battle of Cool Arbor, Va., to date from March 2, 1867.

Second Lieutenant Henry H. Leggett, of the Thirty-eighth Regiment United States Infantry, for gallant and meritorious services in the battle of Mission Ridge, Tenn., to date from July 17, 1867.

Second Lieutenant Henry H. Pierce, of the First Regiment United States Infantry, for gallant and meritorious services in the battle of Petersburg Mine, Va., to date from October 16, 1867.

Second Lieutenant Henry W. Howgate, of the Twentieth Regiment United States Infantry, for gallant and meritorious services at the battle of Chickamanga, Ga., to date from October 22, 1867.

ANDREW JOHNSON.

WASHINGTON, *March* 30, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be captains by brevet.

Joseph G. Rosengarten, late first lieutenant of the One hundred and twenty-first Pennsylvania Volunteers, for gallant and meritorious services in the battle of Fredericksburg, Va., to date from March 13, 1865.

Nathan Russell, late first lieutenant of the Thirty-eighth Massachusetts Volunteers, for gallantry in action at Port Hudson, La., June 14, 1863, to date from March 13, 1865.

Charles H. Ross, late first lieutenant and adjutant of the Thirteenth Indiana Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

John B. Clapp, late first lieutenant and adjutant of the Sixteenth Connecticut Volunteers, for gallant and meritorious services in the battle of Plymouth, N. C., to date from March 13, 1865.

Edmund F. Prentiss, late first lieutenant of the Second Rhode Island Volunteers, for gallant conduct at the battle of the Wilderness and Spottsylvania, Va., to date from May 18, 1864.

ANDREW JOHNSON.

WASHINGTON, *March* 30, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be captains by brevet.

First Lieutenant John W. Eckles, of the Thirty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Fredericksburg, Va., to date from March 2, 1867.

First Lieutenant Ephraim Williams, of the Fifth Regiment United States Infantry, for coolness, gallantry, and good conduct in action with Cheyenne Indians near Pawnee Forts, Kansas, September 23, 1867, to date from September 23, 1867.

Brevet First Lieutenant George A. Drew, second lieutenant in the Tenth Regiment United States Infantry, for gallant and meritorions services in the campaign against Richmond in 1865, to date from March 2, 1867.

Brevet First Lieutenant John W. Bean, second lieutenant in the Thirty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Cold Harbor, Va., to date from March 2, 1867.

Brevet First Lieutenant Ira W. Trask, second lieutenant in the Ninth Regiment United States Cavalry, for gallantry at the battle of Gettysburg, Pa., July 1863, to date from June 18, 1867.

Brevet First Lieutenant John G. Leefe, second lieutenant in the Nineteenth Regiment United States Infantry, for gallant and meritorious services at the battle of Fisher's Hill, Va., to date from March 2, 1867.

Brevet First Lieutenant Andrew C. Bayne, second lieutenant in the Forty-second Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

First Lieutenant Septimus Carncross, adjutant of the Twentieth Regiment United States Infantry, for gallant and meritorions services in the battle of Hatcher's Run, Va., to date from October 3, 1867.

Brevet First Lieutenant Gustave Magnitzki, second lieutenant in the Thirty-ninth Regiment United States Infantry, for gallant and meritorious services in the battle of Petersburg, Va., to date from March 7, 1867.

Brevet First Lieutenant Albion Howe, second lieutenant in the Fourth Regiment United States Artillery, for gallant and distinguished services in the battle of Petersburg, Va., to date from March 2, 1867.

First Lieutenant William E. Sweet, of the Thirty-eighth Regiment United States Infantry, for gallant and meritorions services at the battle of Berryville, Va., to date from March 2, 1867.

Brevet First Lieutenant Henry F. Leggett, second lieutenant in the Thirty-eighth Regiment United States Infantry, for gallant and meritorius services in the battle of Peach Creek, Ga., to date from July 17, 1867.

First Lieutenant Alvan S. Galbreath, of the Eighteenth Regiment United States Infantry, for gallant and meritorious services in the battle of Mission Ridge, Tenn., to date from March 2, 1867.

First Lieutenant Stephen K. Mahon, of the Eleventh Regiment United States Infantry, for gallant and meritorious services in the defence of Helena, Arkansas, to date from March 2, 1867.

First Lieutenant Thomas H. Fisher, of the Twenty-second Regiment United States Infantry, for gallant and meritorions services in the battle of Deep Bottom, Va., to date from March 2, 1867.

First Lieutenant Andrew P. Caraher, of the Forty-third Regiment United States Infantry, for gallant and meritorious services in the battle of Fredericksburg, Va., to date from March 2, 1867.

Brevet First Lieutenant Henry H. Pierce, second lieutenant in the First Regiment United States Infantry, for gallant and meritorious services in action at Grave Yard Bend, to date from October 16, 1867.

First Lieutenant Adam G. Malloy, of the Thirty-fifth Regiment United States Infantry, for gallant and meritorious services in the siege of Vicksburg, Miss., to date from March 2, 1867.

First Lieutenant George K. Dakin, of the Third Regiment United States Artillery, for gallant and meritorious services at the battle of Southerland Station, May 2, 1865, to date from March 2, 1867.

Brevet First Lieutenant Henry W. Howgate, second lieutenant in the Twentieth Regiment United States Infantry, for gallant and meritorious services in the Atlanta campaign, to date from October 22, 1867.

First Lieutenant Richard P. Strong, of the Seventh Regiment United States Infantry, for gallant and meritorious services in the capture of Ft. Blakely, Alabama, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *March* 30, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be majors by brevet.

Taylor P. Rundlet, late captain of the Thirty-eighth Massachusetts Volunteers, for gallant and distinguished service at Port Hudson, La., June 14, 1863, to date from March 13, 1865.

William C. Whitney, late captain of the Thirty-eighth Massachusetts Volunteers, for gallantry in action at Winchester, Va., September 19, 1864, to date from March 13, 1865.

James T. Davis, late captain of the Thirty-eighth Massachusetts Volunteers, for gallantry in action at Winchester, Va., September 19, 1864, to date from March 13, 1865.

Thomas Palmer, late captain and assistant quartermaster of Volunteers, for meritorious service during the Atlanta campaign, the battles of Franklin and Nashville, and the expedition of the Fourth Army Corps, Army of the Cumberland, to Texas, to date from March 13, 1865.

Deming N. Welch, late captain and assistant quartermaster of Volunteers, for faithful and meritorious services in the Quartermaster's Department, to date from March 13, 1865.

Brevet Captain Charles H. Ross, late first lieutenant and adjutant Thirteenth Indiana Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

John C. Brown, late captain of the Seventy-third Regiment United States Colored Troops, for conspicuous gallantry in the assault and capture of Fort Blakely, Alabama, to date from April 9, 1865.

Louis A. Snaer, late captain of the Seventy-third Regiment United States Colored Troops, for gallant conduct in the assault and capture of Fort Blakely, Alabama, to date from April 9, 1865.

ANDREW JOHNSON

WASHINGTON, *March* 20, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be majors by brevet.

Brevet Captain John W. Eckles, first lieutenant in the Thirty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 2, 1867.

Captain Elijah R. Wells, of the Second Regiment United States Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Captain William E. Sweet, first lieutenant in the Thirty-eighth Regiment United States Infantry, for gallant and meritorious services in the battle of Winchester, Va., to date from March 2, 1867.

Brevet Captain Alvan S. Galbreath, first lieutenant in the Eighteenth Regiment United States Infantry, for gallant and meritorious services in the battle of Nashville, Tenn., to date from March 2, 1867.

Brevet Captain Andrew P. Caraher, first lieutenant in the Forty-third Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 2, 1867.

Captain Thomas B. Weir, of the Seventh Regiment United States Cavalry, for gallant and meritorious services in the battle of Farmington, near Corinth, Miss., May 3, 1862, to date from July 31, 1867.

Captain William Thompson, of the Seventh Regiment United States Cavalry, for gallant and meritorious services in action at Prairie Grove, to date from March 2, 1867.

Captain John B. Callis, of the Forty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 7, 1867.

Brevet Captain Adam G. Malloy, first lieutenant in the Thirty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Kenesaw Mountain, Ga., to date from March 2, 1867.

Captain Theodore Schwan, of the Tenth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Captain William W. Webb, of the Fourth Regiment United States Cavalry, for gallant and meritorious services in the Atlanta campaign, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON. *March 30th*, 1868.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be major by brevet.

Captain William E. Merrill, of the Corps of Engineers, for faithful and meritorious services at the battle of Chickamauga, Georgia, to date from September 19, 1863.

To be lieutenant-colonel by brevet.

Brevet Major William E. Merrill, captain in the Corps of Engineers, for faithful and meritorious services at the battles of Lookout Mountain and Mission Ridge, near Chattanooga, Tennessee, to date from March 13, 1865.

To be colonel by brevet.

Brevet Lieutenant-Colonel William E. Merrill, captain in the Corps of Engineers, for faithful and meritorious services at the battles of Resaca and New Hope Church, Georgia, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *March* 28, 1865.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be colonels by brevet.

Brevet Lieutenant-Colonel Adolph G. Rosengarten, late major of the Fifteenth Pennsylvania Cavalry, for gallant and meritorious services in the battle of Stone River, Tenn., where killed, to date from December 29, 1862.

Brevet Lieutenant-Colonel Deming N. Welch, late captain and assistant quartermaster of Volunteers, for faithful and meritorious services in the Quartermaster's Department, to date from March 13, 1865.

Gilbert D. Munson, late lieutenant-colonel of the Seventy-eighth Ohio Volunteers, for gallant and meritorious services, to date from March 13, 1865.

Brevet Lieutenant-Colonel Josiah M. Favelle, late major of the Fifty-seventh New York Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *March* 30, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be colonels by brevet.

Brevet Lieutenant-Colonel William G. Mitchell, captain in the Thirty-seventh Regiment United States Infantry, for gallant and meritorious services in the battle of Spottsylvania, Va., May 12, 1864, to date from March 2, 1867.

Brevet Lieutenant-Colonel Adam G. Malloy, first lieutenant in the Thirty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Nashville, Tenn., to date from March 2, 1867.

Brevet Lieutenant-Colonel Nelson B. Sweitzer, major of the Second Regiment United States Cavalry, for distinguished gallantry at the battles of Yellow Tavern and Meadow Bridge, Va., to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *March* 30, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be lieutenant-colonels by brevet.

Adolph G. Rosengarten, late major of the Fifteenth Pennsylvania Cavalry, for gallant and meritorious services in charging and defeating

with his battalion of cavalry a superior force of rebel cavalry, and for having in a personal renconter disarmed and captured a captain of Texas Rangers, to date from December 27, 1862.

Brevet Major Deming N. Welch, late captain and assistant quartermaster of Volunteers, for faithful and meritorious services in the Quartermaster's Department, to date from March 13, 1865.

George F. Morgan, late major of the One hundred and fifty-fifth Pennsylvania Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Edgar S. Adams, late major of the Seventy-third Regiment United States Colored Troops, for gallant conduct in the battle before Fort Blakely, Ala., to date from April 2, 1865.

Josiah M. Faville, late major of the Fifty-seventh New York Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *March* 30, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be lieutenant-colonels by brevet.

Brevet Major Thomas B. Weir, captain in the Seventh Regiment United States Cavalry, for gallant and meritorious services in the engagement with Forrest near Ripley, Mississippi, December 1, 1863, to date from July 31, 1867.

Brevet Major William Thompson, captain in the Seventh Regiment United States Cavalry, for gallant and meritorious services in action at Bayou Metér, Arkansas, to date from March 2, 1867.

Brevet Major Albert Barnitz, captain in the Seventh Regiment United States Cavalry, for gallant and meritorious services in the battle of Sailor's Creek, Va., to date from March 2, 1867.

Brevet Major Adam G. Malloy, first lieutenant in the Thirty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Atlanta, Ga., to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *March* 30, 1868.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be colonel by brevet.

Brevet Lieutenant-Colonel Henry A. Du Pont, captain in the Fifth Regiment United States Artillery, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *March* 31, 1868.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be lieutenant colonel by brevet.

Brevet Major William J. G. Nicodemus, captain in the Twelfth Regiment United States Infantry, for gallant and meritorious services in

opening communication between Forts Craig and Union, New Mexico, to date from March 1, 1862.

To be colonel by brevet.

Brevet Lieutenant-Colonel William J. L. Nicodemus, captain in the Twelfth Regiment United States Infantry, for gallant and meritorious services during the pursuit of the enemy through Maryland, to date from July 5, 1863.

ANDREW JOHNSON.

WASHINGTON, *March* 30, 1868.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be first lieutenant by brevet.

Second Lieutenant James D. McBride, of the First Regiment United States Cavalry, for gallant and meritorious services during the war, to date from November 20, 1867.

To be captain by brevet.

Brevet First Lieutenant James D. McBride, second lieutenant in the First Regiment United States Cavalry, for gallant and meritorious services during the war, to date from November 20, 1867.

To be major by brevet.

Brevet Captain James D. McBride, second lieutenant in the First Regiment United States Cavalry, for gallant and meritorious services during the war, to date from November 20, 1867.

To be lieutenant-colonel by brevet.

Brevet Major James D. McBride, second lieutenant in the First Regiment United States Cavalry, for gallant and meritorious services during the war, to date from November 20, 1867.

To be colonel by brevet.

Brevet Lieutenant-Colonel James D. McBride, second lieutenant in the First Regiment United States Cavalry, for gallant and meritorious services during the war, to date from November 20, 1867.

ANDREW JOHNSON.

WASHINGTON, *March* 30, 1868.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be brigadier-general by brevet.

Brevet Colonel Nelson B. Sweitzer, major of the Second Regiment United States Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *March* 30, 1868.

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To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be brigadier-generals by brevet.

William Hanna, late colonel of the Fiftieth Illinois Volunteers, for gallant and meritorious services in the battle of Alatoona, Georgia, to date from March 13, 1865.

George H. Ward, late colonel of the Fifteenth Massachusetts Volunteers, for gallant and meritorious services in the battle of Ball's Bluff, Va., October 21, 1861, and in the battle of Gettysburg, Pa., where killed, to date from July 2, 1863.

Phineas Pease, late colonel of the Forty-ninth Illinois Volunteers, for gallant conduct and meritorious services in battle during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *March* 30, 1868.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be brigadier-general by brevet.

Colonel De Lancey Floyd Jones, of the Sixth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *March 30th*, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be major-generals by brevet.

Brevet Brigadier-General James P. McIvor, late colonel of the One hundred and seventieth New York Volunteers, for gallant and meritorious services during the war, to date from April 9, 1865.

James A. Williamson, late brigadier-general United States Volunteers, for gallant conduct during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *March* 30, 1868.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be major-general by brevet.

Brevet Brigadier General Charles F. Ruff, lieutenant-colonel United States Army, for faithful and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *March 30th*, 1868.

To the Senate of the United States:

In compliance with the request of the Senate of the 26th instant, I herewith return their resolution of March 24, 1868, consenting to the appointment of Edgar H. Bates as a justice of the peace in and for the County of Washington, in the District of Columbia.

ANDREW JOHNSON.

WASHINGTON, D. C., *March* 31, 1868.

To the Senate of the United States:

I withdraw the nomination (submitted to the Senate on the 20th instant) of Wm. M. Daily to be receiver of public moneys for the district of lands subject to sale at New Orleans, Louisiana.

ANDREW JOHNSON.

WASHINGTON, D. C., *April 1st*, 1868.

To the Senate of the United States:

I withdraw the nomination (submitted on the 14th of January last) of Thomas B. Asten to be assessor of internal revenue for the eighth district of New York.

ANDREW JOHNSON.

WASHINGTON, D. C, *April 7th*, 1868.

The messages were read.

Ordered, That the nomination of Hedgeman Slack be referred to the Committee on the Judiciary.

Ordered, That the nomination of Wm. S. Willis and Porteus P. Bielby be referred to the Committee on Naval Affairs.

Ordered, That the nomination of John Ayers and Nicholas Quintana be referred to the Committee on Indian Affairs.

Ordered, That the nominations of A. K. Osborne, William M. Murphy, John B. Winstandley, and R. H. Cochran be referred to the Committee on Finance.

Ordered, That the nomination of John W. Barnaclo be referred to the Committee on the District of Columbia.

Ordered, That the nominations of Otho W. Budd, Richard Summers and others, John L. Spaulding, Henry W. Lawton, Edward Donovan and others, Charles E. Goddard and others, George A. Drew and others, Joseph G. Rosengarten and others, John W. Eckles and others, Taylor P. Rundlet and others, John W. Eckles and others, William E. Merrill and others, Adolph G. Rosengarten and others, William G Mitchell and others, Adolph G. Rosengarten and others, Thomas B. Weir and others, Henry A. Dupont, William J. L. Nicodemus, James D. McBride, Nelson B. Sweitzer, William Hanna and others, De Lancy Floyd-Jones, James P. McIvor, and James A. Williamson, and Charles F. Ruff be referred to the Committee on Military Affairs and the Militia.

Mr. Williams, from the Committee on Finance, to whom was referred, the 20th March last, the nomination of James B. Hubbie, reported adversely thereon.

Mr. Chandler, from the Committee on Commerce, to whom was recommitted, the 24 March last, the nomination of Killian V. Whaley, reported favorably thereon.

Mr. Trumbull, from the Committee on the Judiciary, to whom was referred, the 4th instant, the nomination of Elmer S. Dundy, reported favorably thereon.

Mr. Ross, from the Committee on Indian Affairs, to whom were referred, the 23 February, 1867, the treaty between the United States and the Sac and Fox tribe of Indians, concluded at the city of Washington the 18 February, 1867, and the 17 March, 1867, the treaty between the United States and the Pottawatomie tribe of Indians, concluded the 27 December, 1867, reported the same with amendments to each treaty.

Ordered, That the said treaties with the proposed amendments be printed in confidence for the use of the Senate.

WEDNESDAY, APRIL 8, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate the person herein named for appointment by brevet in the Volunteer force:

To be major by brevet.

James M. Nicholls, late captain of the Forty-eighth New York Volunteers, for conspicuous gallantry at the battle of Coal Harbor, Va., June 1, 1863, during a portion of which engagement he was in command of his regiment, to date from June 1, 1863.

To be lieutenant-colonel by brevet.

Brevet Major James M. Nichols, late captain of the Forty-eighth New York Volunteers, for gallant and meritorious conduct on every occasion when in action with his command, to date from March 13, 1865.

To be colonel by brevet.

Brevet Lieutenant-Colonel James M. Nichols, late captain of the Forty-eighth New York Volunteers, for general efficiency and merit as an officer, to date from March 13, 1865.

ANDREW JOHNSON

WASHINGTON, *April* 6, 1868.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be colonel by brevet.

Brevet Lieutenant-Colonel Joseph S. Conrad, captain in the Second Regiment United States Infantry, for gallant and meritorious services in the campaign under General W. S. Hancock in 1864, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *April* 6, 1868.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be colonel by brevet.

Lieutenant-Colonel Samuel D. Sturgis, of the Sixth Regiment United States Cavalry, for gallant and meritorious services in the battle of second Bull Run, Va., to date from August 29, 1862.

To be brigadier-general by brevet

Brevet Colonel Samuel D. Sturgis, lieutenant-colonel of the Sixth Regiment United States Cavalry, for gallant and meritorious services in the battles of South Mountain and Antietam, Md., to date from September 17, 1862.

To be major-general by brevet.

Brevet Brigadier-General Samuel D. Sturgis, lieutenant-colonel of the Sixth Regiment United States Cavalry, for gallant and meritorious services in the battle of Fredericksburg, Va., to date from December 13, 1862.

ANDREW JOHNSON.

WASHINGTON, *April* 6, 1868.

To the Senate of the United States:

I nominate the person herein named for appointment by brevet in the Volunteer force:

To be major-general by brevet.

Charles E. Hovey, late brigadier-general of Volunteers, for gallant and distinguished services at Chickasaw Bayou and Arkansas Post in December, 1862, and January, 1863, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *April* 6, 1868.

The messages were read.

Ordered, That the nominations contained in the said message, to wit, those of Thomas Barker, James M. Nichols, Joseph S. Conrad, Samuel D. Sturgis, and Charles H. Hovey be referred to the Committee on Military Affairs and the Militia.

Mr. Trumbull, from the Committee on the Judiciary, to whom were referred, the 4th of April, the nomination of Richard T. Miller, and the 7th of April last that of Hedgeman Slack, reported favorably thereon, and the 20th of March last that of John S. Watts, reported adversely thereon.

THURSDAY, APRIL 9, 1868.

The Senate proceeded to consider the nomination of Elmer S. Dundy; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

TUESDAY, APRIL 14, 1868.

Mr. Grimes, from the Committee on Naval Affairs, to whom was referred, the 20th March last, the nomination of Peter A. Callan, the 25th of March last those of Robert A. Warmion, H. D. McEwan, and Joseph Lanman, and the 7th instant those of Wm. S. Willis and Porteous P. Bielby, reported favorably thereon.

Whereupon

Resolved. That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Morrill, of Maine, from the Committee on Indian Affairs, to whom was referred, the 14th March last, the treaty between the United States

and the Seneca, the Confederated Seneca and Shawnee, the Quapaw, the Ottawa, the Confederated Peoria, Kaskaskia, Wea, and Piankeshaw and the Miami tribes of Indians, concluded at Washington City, D. C., the 23d February, 1867, reported the same with amendments.

Ordered, That the said treaty with the proposed amendments be printed in confidence for the use of the Senate.

On motion by Mr. Chandler,

Ordered, That he have leave to withdraw his motion, submitted the 26th March last, that the resolution that the Senate advise and consent to the appointment of Moses S. Foote be reconsidered.

The Senate proceeded to consider the motion submitted by Mr. Nye, the 4th instant, that the resolution that the Senate advise and consent to the appointment of Alexander Spaulding be reconsidered; and

On the question to agree thereto,

It was determined in the negative, { Yeas 11
Nays 25

On motion by Mr. Morgan,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Buckalew, Conness, Doolittle, Fowler, Hendricks, Howard, Johnson, Patterson of Tenn. Nye, Pomeroy, Vickers.

Those who voted in the negative are,

Messrs. Cattell, Chandler, Conkling, Dixon, Ferry, Fessenden, Harlan, Henderson, Howe, McCreery, Morgan, Morrill of Vermont, Morton, Ramsey, Ross, Sherman, Sumner, Thayer, Tipton, Trumbull, Van Winkle, Willey, Williams, Wilson, Yates.

So the motion to reconsider was not agreed to.

On motion by Mr. Morrill, of Maine,

The Senate proceeded to consider the nomination of Killian V. Whaley; and

On the question, Will the Senate advise and consent to his appointment?

It was determined in the affirmative, { Yeas 22
Nays 19

On motion by Mr. Cragin,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Buckalew, Chandler, Cole, Corbett, Dixon, Doolittle, Fowler, Hendricks, Johnson, McCreery, Morrill of Maine, Nye, Patterson of Tennessee, Ramsey, Ross, Sherman, Thayer, Tipton, Trumbull, Van Winkle, Vickers, Willey.

Those who voted in the negative are,

Messrs. Conkling, Conness, Cragin, Edmunds, Ferry, Fessenden, Frelinghuysen, Harlan, Henderson, Morgan, Morrill of Vermont, Morton, Patterson of N. H., Stewart, Sumner, Wade, Williams, Wilson, Yates.

So it was

Resolved, That the Senate advise and consent to the appointment of Killian V. Whaley, agreeably to the nomination.

The Senate proceeded to consider the motion submitted by Mr. Patterson, of Tennessee, the 6th March last, that the resolution that the Senate do not advise and consent to the appointment of Moses N Wisewell, be reconsidered; and,

On the motion to agree thereto,

It was determined in the negative.

MONDAY, APRIL 20, 1868.

Mr. Van Winkle, from the Committee on Pensions, to whom was referred, the 3d March last, the nomination of George S. Gale, reported favorably thereon.

On motion by Mr. Patterson, of Tennessee,

Ordered, That he have leave to withdraw the motion submitted by him the 16th March last, that the resolution that the Senate do not advise and consent to the appointment of T. W. Scott be reconsidered.

Mr. Trumbull, from the Committee on the Judiciary, to whom was referred, the 20th March last, the nomination of Homer G. Plantz, reported favorably thereon, and to whom were referred, the 28 January last that of Solomon P. McCurdy, the 24 February last that of Thomas Sim, and the 28 February last that of Joseph S. C. Rowland, reported adversely thereon.

Mr. Trumbull, from the Committee on the Judiciary, to whom was referred, the 28 January last, the nomination of Enos D. Hoge, reported the same with the recommendation that its further consideration be indefinitely postponed.

Mr. Stewart, from the Committee on the Judiciary, to whom was referred, the 20 March last, the nomination of A. Huggan, reported favorably thereon.

Mr. Cattell, from the Committee on Finance, to whom was referred, the 28 January last, the nomination of Joel B. McCamant, reported adversely thereon.

The Senate proceeded to consider the nomination of Minard H. Farley; and

Resolved, That the Senate do not advise and consent to his appointment.

The Senate proceeded to consider the nomination of Hedgeman Slack; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

MONDAY, MAY 11, 1868.

On motion by Mr. Henderson,

Ordered, That the Journal of the proceedings of the Senate in executive session, of the 21st February last, be amended by erasing from the list of yeas and nays, on the motion of Mr. Wilson to amend the resolution submitted by Mr. Edmunds in relation to the removal from office of Edwin M. Stanton, the name of Mr. Henderson, and the Secretary made the erasure accordingly.

On motion by Mr. Buckalew,

Ordered, That the injunction of secrecy be removed from all proceedings of the Senate not heretofore made public in relation to the removal from office of Edwin M. Stanton.

THURSDAY, MAY 21, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Robert L. Farr to be surveyor of customs for the port of Peoria, in the State of Illinois, under the act of Congress approved March 12th, 1868.

ANDREW JOHNSON.

WASHINGTON, D. C., *April 15th*, 1868.

To the Senate of the United States:

I nominate John P. O'Neill to be United States attorney for the eastern district of Pennsylvania, in place of Charles Gilpin, whose term of office has expired.

ANDREW JOHNSON.

EXECUTIVE MANSION, *April* 21, 1868.

To the Senate of the United States:

I nominate Second Lieutenant John W. Haverstick to be a first lieutenant in the Marine Corps from the 26 March, 1868, vice First Lieutenant E. C. Gabandan, deceased.

ANDREW JOHNSON.

WASHINGTON CITY, 17 *April*, 1868.

To the Senate of the United States:

I nominate W. J. McDonald, jr., to be a second lieutenant in the Marine Corps, to fill a vacancy in that grade.

ANDREW JOHNSON.

WASHINGTON CITY, 23*d April*, 1868.

To the Senate of the United States:

I nominate Erastus Clarke Dunning, of Delaware, and Melancthon Love Ruth, of Pennsylvania, to be assistant surgeons in the Navy, to fill vacancies in that grade.

ANDREW JOHNSON.

WASHINGTON CITY, 21 *April*, 1868.

To the Senate of the United States:

I nominate Wesley O. Holway, of Maine, and James J. Kane, of New York, to be chaplains in the Navy, to fill vacancies in that grade.

ANDREW JOHNSON.

WASHINGTON CITY, 16 *April*, 1868.

To the Senate of the United States:

I nominate Second Assistant Engineers George E. Tower, Nathan P. Towne, Henry C. Beckwith, Daniel W. Grafley, William S. Neal, Henry C. Blye, and Asaph Dunbar to be first assistant engineers in the Navy, to fill vacancies in that grade.

ANDREW JOHNSON.

WASHINGTON CITY, 21*st April*, 1868.

To the Senate of the United States:

I nominate the person herein named for appointment in the Army of the United States, he having passed the examination required by law:

Ray T. Gordon, late second lieutenant of the Second New York Cavalry, to be second lieutenant in the Eighth Regiment United States Cavalry, March 25, 1868, vice Gibson, appointed first lieutenant.

ANDREW JOHNSON.

WASHINGTON, *April* 16, 1868.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be captain by brevet.

First Lieutenant William H. Clapp, adjutant of the Eleventh Regiment United States Infantry, for gallant and meritorious services at the

battle of Chickasaw Bayou, December 29th, 30th, and 31st, 1862, to date from March 2, 1867.

To be major by brevet.

Brevet Captain William H. Clapp, first lieutenant and adjutant of the Eleventh Regiment United States Infantry, for gallantry at the siege of Vicksburg, Miss., to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *April* 16, 1868.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be lieutenant-colonel by brevet.

Major Tredwell Moore, Quartermaster United States Army, for meritorious services in Nevada, in 1861, to date from March 13, 1865.

To be colonel by brevet.

Brevet Lieutenant-Colonel Tredwell Moore, Quartermaster United States Army, for meritorious services during the raid of Morgan through Ohio in 1863, to date from March 13, 1865.

To be brigadier-general by brevet.

Brevet Colonel Tredwell Moore, Quartermaster United States Army, for faithful and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *April* 16, 1868.

To the Senate of the United States:

I nominate John M. Schofield to be Secretary for the Department of War, in place of Edwin M. Stanton, removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *April* 23*d*, 1868.

To the Senate of the United States:

I nominate Passed Assistant Surgeon Newton H. Adams to be a surgeon in the Navy, from the 26th of April, 1868, vice Surgeon Albert Schriver, transferred to the retired list; and

James Morrison Scott, of Ohio, to be an assistant surgeon in the Navy, to fill a vacancy in that grade.

ANDREW JOHNSON.

WASHINGTON CITY, 27 *April*, 1868.

To the Senate of the United States:

I nominate Lieutenant-Commander William P. McCann to be a commander in the Navy, from the 8th December, 1867, vice Commander J. C. Beaumont, retired.

ANDREW JOHNSON.

WASHINGTON CITY, 28 *April*, 1868.

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To the Senate of the United States:

I nominate Thomas B. Asten to be assessor of internal revenue for the eighth district of New York, in place of Anthony J. Bleecker, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *May 5th*, 1868.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be first lieutenant by brevet.

Second Lieutenant Gilbert S. Jennings, of the Forty-third Regiment United States Infantry, for gallant and meritorious services in the battle of Groveton, Va., to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *April* 22, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be captains by brevet.

First Lieutenant Gustav A. Hesselberger, of the Third Regiment United States Infantry, for valuable services in rescuing the Box family from the Indians on the Arkansas River, to date from March 7 1867.

Brevet First Lieutenant Gilbert S. Jennings, second lieutenant in the Forty-third Regiment United States Infantry, for gallant and meritorious services in the battle of Fredericksburg, Va., to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *April* 22, 1868.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be captain by brevet.

First Lieutenant James B. Burbank, of the Third Regiment United States Artillery, for gallant conduct in battle as staff officer, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *April* 28, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be majors by brevet.

Brevet Captain A. Hesselberger, first lieutenant in the Third Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 7, 1867.

Captain John C. Conner, of the Forty-first Regiment United States Infantry, for distinguished services in East Tennessee, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *April* 22, 1868.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be lieutenant-colonel by brevet.

Brevet Major John C. Conner, captain in the Forty-first Regiment United States Infantry, for meritorious services in the Atlanta campaign, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *April* 22, 1868.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be colonel by brevet.

Brevet Lieutenant Colonel John C. Conner, captain in the Forty-first Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *April* 22, 1868.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be brigadier-general by brevet.

Brevet Colonel Robert Macfeely, major and Commissary of Subsistence United States Army, for faithful and meritorious services in his Department during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *April* 22, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be majors by brevet.

James B. Burbank, late captain of the Twentieth Connecticut Volunteers, for gallant conduct in the battle of Chancellorsville, Va., May 3, 1863, to date from March 13, 1865.

Almyne H. G. Richardson, late captain of the One hundred and fourteenth Pennsylvania Volunteers, for meritorious conduct during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *April* 28, 1868.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States.

To be colonel by brevet.

Brevet Lieutenant-Colonel Charles McCormick, surgeon United States Army, for faithful and meritorious services during the rebellion, to date from March 13, 1865.

To be brigadier-general by brevet.

Brevet Colonel Charles McCormick, surgeon United States Army, for faithful and meritorious services during the rebellion, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *May* 7, 1868.

To the Senate of the United States:

I nominate the following-named officers of the Volunteer service, under the act 25th July, 1866, to be officers in the Regular Navy, viz:

James M. Forsyth to be a master in the Navy from the 12 March, 1868, and to take rank next after Master C. M. Anthony.

George B. Livingston to be an ensign in the Navy from the 12 March, 1868, and to take rank next after Ensign W. P. Randall;

Henry G. Macy to be an ensign in the Navy from the 12 March, 1868, and to take rank next after Ensign Wm. H. Mayer;

William B. Newman to be an ensign in the Navy from the 12 March, 1868, and to take rank next after O. W. Farenholt; and

Thomas G. Grove to be an ensign in the Navy from the 12 March, 1868, and to take rank next after Ensign W. B. Arrants.

I also nominate Acting Chief Engineer J. Q. A. Zeigler to be a chief engineer in the Navy on the active list, for eminent services connected with turretted iron-clad vessels of the Navy.

ANDREW JOHNSON.

WASHINGTON CITY, *6th May*, 1868.

To the Senate of the United States:

I nominate Second Lieutenant James B. Breese to be a first lieutenant in the Marine Corps, from the 1st of May, 1868, vice First Lieutenant Robert O'N. Ford, resigned.

ANDREW JOHNSON.

WASHINGTON CITY, 2*nd May*, 1868.

To the Senate of the United States:

I nominate Passed Assistant Surgeon Wm. K. Van Reypen to be a surgeon in the Navy, from the 12th of May, 1868, vice Surgeon A. B. Judson, resigned.

ANDREW JOHNSON.

WASHINGTON CITY, 12*th May*, 1868.

To the Senate of the United States:

I nominate Commander Napoleon B. Harrison to be a captain in the Navy, from the 28 April, 1868, vice Captain A. L. Case, promoted.

ANDREW JOHNSON.

WASHINGTON CITY, 12 *May*, 1868.

To the Senate of the United States:

I nominate W. W. Randall, of Wisconsin, to be consul of the United States at Talcahuano, vice James H. Trumbull, resigned.

ANDREW JOHNSON.

WASHINGTON, 11*th May*, 1868.

To the Senate of the United States:

I nominate Alfred T. Lacey to be collector of internal revenue for the 1st district of Louisiana, in place of James B. Steedman, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *May* 13, 1868.

To the Senate of the United States:

I nominate Charles P. Heywood to be collector of internal revenue for the 3d district of Missouri, in place of John M. Cashman, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *May 7th*, 1868.

To the Senate of the United States:

I nominate Hugh R. Grahame, now a first lieutenant in the Revenue-Cutter Service, to be a captain in said service, in place of Daniel D. Tompkins, to be removed.

Also, Edward T. Collins, now a second lieutenant in same service, to be a first lieutenant, in place of Hugh R. Grahame, promoted.

I also nominate John W. Sage, now a second lieutenant in same service, to be a first lieutenant, in place of Edward L. Cowton, to be removed.

Also, Calvin L. Hooper, now a third lieutenant in same service, to be a second lieutenant, in place of Edward T. Collins, promoted; and

John Davison, now a third lieutenant, to be a second lieutenant, in place of John W. Sage, promoted.

ANDREW JOHNSON.

WASHINGTON, *May* 20, 1868.

The messages were read.

The Senate, by unanimous consent, proceeded to consider the nominations of Robert L. Farr and W. J. McDonald, jr.; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Ordered, That the nomination of John P. O'Neill be referred to the Committee on the Judiciary.

Ordered, That the nominations of John W. Haverstick, Erasmus Clarke Dunning, and Melancthon Love Ruth, Wesley O. Holway, and James J. Kane, George E. Tower and others, Newton H. Adams, and James Morrison Scott, Wm. P. McCann, James W. Forsyth and others, James B. Breese, Wm. K. Van Reypen, and Napoleon B. Harrison be referred to the Committee on Naval Affairs.

Ordered, That the nominations of Ray T. Gordon, Wm. H. Clapp, Tredwell Moore, John M. Schofield, Gilbert S. Jennings, Gustav A. Hesselberger (capt. by brevet), and Gilbert S. Jennings, James B. Burbank, Gustav A. Hesselberger (major by brevet), and John C. Conner (major, lieutenant colonel, and colonel by brevet), Robert Macfeely, James B. Burkank (captain by brevet), and O. H. G. Richardson, and Charles McCormick be referred to the Committee on Military Affairs and the Militia.

Ordered, That the nominations of Thomas B. Asten, Alfred T. Lacey, and Charles P. Heywood be referred to the Committee on Finance.

Ordered, That the nominations of W. W. Randall and Hugh R. Graham and others be referred to the Committee on Commerce.

The supplemental article to a treaty between the United States and the Cherokee Nation of Indians, concluded at Washington City, D. C., July 19, 1866, was read the first time.

On motion by Mr. Henderson,

Ordered, That the said article be referred to the Committee on Indian Affairs and, with the message and accompanying papers, printed in confidence for the use of the Senate.

WEDNESDAY, MAY 27, 1868.

Mr. Morgan, from the Committee on Finance, to whom were referred, the 12th March, the nomination of W. W. Thatcher, and the 21st instant that of Thomas B. Asten, reported favorably thereon.

Mr. Wilson, from the Committee on Military Affairs and the Militia, to whom were referred, the 8th April, the nomination of Samuel D. Sturgis, and the 21st instant that of John M. Schofield, reported favorably thereon

Mr. Doolittle, from the Committee on Military Affairs and the Militia, to whom was recommitted, the 24th March last, the nomination of James H. Carleton, reported favorably thereon.

Mr. Henderson, from the Committee on Indian Affairs, to whom was referred, the 21st instant, the supplementary article to a treaty between the United States and the Cherokee Nation of Indians, concluded July 19, 1866, reported the same without amendment.

Mr. Henderson presented certain papers in connection with the said supplementary article, which were ordered to be printed in confidence for the use of the Senate.

The Senate proceeded to consider the nomination of Philip B. Fouke, and,

On motion by Mr. Willey,

Ordered, That said motion lie on the table.

THURSDAY, MAY 28, 1868.

Mr. Morrill, of Vermont, from the Committee on Finance, to whom were referred, the 28 January last, the nomination of Joseph H. Chamberlain, and the 12 March last that of Josiah Durham, reported adversely thereon.

Mr. Morrill, of Vermont, to whom was referred, the 20th March last, the nomination of Franklyn Haven, jr., reported favorably thereon.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Williams, from the Committee on Finance, to whom was referred, the 7th April last, the nomination of A. K. Osborne, reported favorably thereon.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Chandler, from the Committee on Commerce, to whom were referred, the 4th April last, the nomination of Alfred Allen, and the 21st instant that of W. W. Randall, reported favorably thereon.

The Senate proceeded to consider the nomination of Homer G. Plantz, A. Huggan, and W. W. Thatcher; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate proceeded to consider the nominations of James B. Hubble, Solomon P. McCurdy, Frank Barr, Thomas Sin, and Joel B. McCamant; and

Resolved, That the Senate do not advise and consent to the appointment of the said persons.

The Senate proceeded to consider the nomination of Richard T. Miller; and,

On motion by Mr. Stewart,

Ordered, That the said nomination be recommitted to the Committee on the Judiciary.

The Senate proceeded to consider the nomination of John S. Watts; and,

On motion by Mr. Conkling,

Ordered, That the said nomination be recommitted to the Committee on the Judiciary.

The Senate proceeded to consider the nomination of Francis Price; and

On motion by Mr. Sherman,

Ordered, That the said nomination be recommitted to the Committee on Commerce.

The Senate proceeded to consider the nomination of Enos D. Hoge; and

Ordered, That the said nomination lie on the table.

The Senate proceeded to consider the nomination of Samuel D. Sturgis; and,

On motion by Mr. Thayer,

Ordered, That the said nomination be recommitted to the Committee on Military Affairs and the Militia.

The Senate proceeded to consider the nomination of John M. Schofield.

Mr. Edmunds submitted the following resolution:

Whereas, on the 23d day of April, 1868, the President nominated John M. Schofield to be Secretary of War, in place of E. M. Stanton, removed; and, whereas, in the opinion of the Senate the said Stanton has not been legally removed from his office; but, inasmuch as the said Stanton has relinquished his place as Secretary of War, for the causes stated in his notice to the President, therefore

Resolved, That the Senate advise and consent to the appointment of John M. Schofield to be Secretary of War.

On the motion to agree thereto,

On motion by Mr. Willey to amend the resolution by striking out all after the word "resolved" and in inserting in lieu thereof the words: *That the Senate advise and consent to the appointment of John M. Schofield to be Secretary for the Department of War, in place of E. M. Stanton, hereby removed.*

On the question to agree thereto,

On motion by Mr. Frelinghuysen to amend the amendment of Mr. Willey by striking out the preamble and all after the word "that," and inserting in lieu thereof the words, *the Senate advise and consent to the appointment of John M. Schofield to be Secretary of the Department of War in the place of E. M. Stanton, who has relinquished that office.*

On the question to agree thereto,

Pending debate,

The Senate adjourned.

FRIDAY, MAY 29, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Rear Admiral John A. Dahlgren to be chief of the Bureau of Ordnance, vice Capt. Henry A. Wise, resigned.

ANDREW JOHNSON.

WASHINGTON CITY. *May 27th*, 1868.

To the Senate of the United States:

I nominate Commodore Thomas Turner to be a rear-admiral in the Navy on the active list, from the 27th of May, 1868, vice Rear-Admiral H. K. Thatcher, placed on the retired list.

Captain Alexander M. Pennock to be commodore in the Navy on the active list, from 6th of May, 1868, vice Commander Daniel B. Ridgely, deceased; and

Captain John L. Worden to be a commodore in the Navy on the active list, from 27th of May, 1868, vice Commodore Thomas Turner, nominated for promotion.

ANDREW JOHNSON.

WASHINGTON CITY, *27th May*, 1868.

To the Senate of the United States:

I nominate H. G. Worthington, of Nevada, to be minister resident of the United States to the Argentine Republic, vice Alexander Asboth, deceased.

ANDREW JOHNSON.

WASHINGTON, *29th May*, 1868.

To the Senate of the United States:

I nominate Thaddeus P. Mott, of New York, to be minister resident of the United States to Costa Rica, in the place of Albert Gallatin Lawrence, recalled.

The reasons for the recall of Mr. Lawrence are set forth in the instruction of the Secretary of State to him and in the note to the minister of the North German Confederation accredited to this Government, a copy of which is herewith transmitted.

ANDREW JOHNSON.

WASHINGTON, 12 *May*, 1868.

To the Senate of the United States:

I nominate Henry Stanbury to be Attorney General of the United States, to fill a vacancy caused by resignation.

ANDREW JOHNSON.

WASHINGTON, D. C., *May* 27, 1868.

The messages were read.

Ordered, That the nominations of John A. Dahlgren, Thomas Turner, and others be referred to the Committee on Naval Affairs.

Ordered, That the nominations of H. G. Worthington and Thaddeus P. Mott be referred to the Committee on Foreign Relations.

Ordered, That the nomination of Henry Stanbury be referred to the Committee on the Judiciary.

Mr. Morgan, from the Committee on Finance, to whom was referred, the 21st instant, the nomination of Alfred T. Lacey, reported favorably thereon.

The Senate resumed the consideration of the nomination of John M. Schofield.

The question being on the amendment proposed by Mr. Frelinghuysen, the 28th instant, to the amendment proposed by Mr. Willey to the resolution of Mr. Edmunds.

Mr. Willey withdrew his proposed amendment.

The question recurring on the resolution of Mr. Edmunds,

On motion by Mr. Frelinghuysen to amend the resolution of Mr. Edmunds by striking out the preamble thereto and all after the word "Resolved" and inserting in lieu thereof the words:

That the Senate advise and consent to the appointment of John M. Schofield to be Secretary for the Department of War, in the place of Edwin M. Stanton, who has relinquished that office,

On the question to agree thereto,

On motion by Mr. Henderson to amend the amendment of Mr. Frelinghuysen by striking out, after the word "War," the words "in the place of Edwin M. Stanton, who has relinquished that office,"

On the question to agree thereto,

It was determined in the negative.

The question recurring on the amendment of Mr. Frelinghuysen to the resolution of Mr. Edmunds,

On motion by Mr. Stewart to amend the amendment of Mr. Frelinghuysey by striking out all after the word "Resolved" and inserting in lieu thereof the words:

That the Senate advise and consent to the appointment of John M. Schofield as Secretary of War, in place of Edwin M. Stanton, who has been forced to retire from the discharge of the duties of said office by reason of the illegal and unconstitutional acts of the President of the United States,

On the question to agree thereto,

It was determined in the negative, { Yeas 19
Nays 21

On motion by Mr. Conness,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Cameron, Cattell, Cole, Conkling, Conness, Cragin, Drake, Morrill of Vt., Patterson of N. H., Pomeroy, Ramsey, Stewart, Sumner, Thayer, Tipton, Wade, Williams, Wilson, Yates.

Those voting in the negative are,

Messrs. Anthony, Buckalew, Corbett, Doolittle, Edmunds, Fowler, Frelinghuysen, Henderson, Hendricks, Johnson, McCreery, Morgan, Morton, Norton, Patterson of Tenn., Ross, Sprague, Trumbull, Van Winkle, Vickers, Willey.

So the amendment to the amendment was not agreed to.

The question recurring on the amendment of Mr. Frelinghuysen to the resolution of Mr. Edmunds,

On the question to agree thereto,

It was determined in the negative, { Yeas 15
Nays 22

On motion by Mr. Drake,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Buckalew, Corbett, Doolittle, Fowler, Frelinghuysen, Hendricks, Johnson, McCreery, Norton, Patterson of Tenn., Ross, Sprague, Tipton, Van Winkle, Vickers.

Those who voted in the negative are,

Messrs. Anthony, Cameron, Cattell, Cole, Conkling, Conness, Cragin, Drake, Edmunds, Morgan, Morton, Patterson of N. H., Pomeroy, Ramsey, Stewart, Sumner, Thayer, Wade, Willey, Williams, Wilson, Yates.

So the amendment of Mr. Frelinghuysen to the resolution of Mr. Edmunds was not agreed to.

The question recurring on the resolution of Mr. Edmunds,

On the question to agree thereto,

It was determined in the affirmative, { Yeas 35
Nays 2

On motion by Mr. Drake,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Anthony, Buckalew, Cameron, Catlett, Cole, Conness, Corbett, Doolittle, Drake, Edmunds, Fowler, Frelinghuysen, Harlan, Henderson, Hendricks, Johnson, Morgan, Morrill of Vt., Morton, Patterson of N. H., Patterson of Tenn., Pomeroy, Ramsey, Ross, Sprague Stewart, Thayer, Tipton, Trumbull, Van Winkle, Vickers, Willey, Williams, Wilson, Yates.

Those who voted in the negative are,

Messrs. McCreery, Norton.

So the resolution of Mr. Edmunds was agreed to.

On the question to agree to the preamble of the resolution,

It was determined in the affirmative, { Yeas 28
Nays 13

On motion by Mr. Drake,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Anthony, Cameron, Cattell, Cole, Conkling, Conness, Corbett, Cragin, Drake, Edmunds, Frelinghuysen, Harlan, Morgan, Morrill of Vt., Morton, Patterson of N. H., Pomeroy, Ramsey, Sprague, Stewart, Sumner, Thayer, Tipton, Wade, Willey, Williams, Wilson, Yates.

Those who voted in the negative are,

Messrs. Buckalew, Doolittle, Fowler, Henderson, Hendricks, Johnson, McCreery, Norton, Patterson of Tenn., Ross, Trumbull, Van Winkle, Vickers.

So the preamble to the resolution was agreed to.

On motion by Mr. Conkling,

Ordered, That the Secretary lay the said resolution before the President of the United States.

SATURDAY, MAY 30, 1868.

Mr. Stewart, from the Committee on Finance, to whom was referred, the 29th instant, the nomination of Henry Stanbury, reported adversely thereon.

On motion by Mr. Anthony,

Ordered, That the rule of the Senate be suspended so far as to permit the resolution that the Senate do advise and consent to the appointment of John M. Schofield to be communicated to the President of the United States forthwith.

On motion by Mr. Edmunds,

Ordered, That the injunction of secrecy be removed from the proceedings of the Senate in relation to the nomination of John M. Schofield to be Secretary for the Department of War.

TUESDAY, JUNE 2, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Harvey Beckwith to be superintendent of the United States branch mint at San Francisco, in the State of California, in place of Robert B. Swain, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *May* 30, 1868.

To the Senate of the United States:

I nominate Chambers C. Davis to be melter and refiner in the United States branch mint at Denver, Colorado, in place of Frederick Eckfeldt, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *May 29th*, 1868.

To the Senate of the United States:

I nominate John T. Fortson to be assessor of internal revenue for the fifth district of California, in place of W. A. Eliason, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *May* 30, 1868.

To the Senate of the United States:

I nominate Colby Knapp to be collector of internal revenue for the 8th district of Illinois, in place of David T. Littler, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *May 30th*, 1868.

To the Senate of the United States:

I nominate William L. Howard, of Alabama, to be receiver of public moneys for the district of lands subject to sale at Mobile, Alabama, vice Angus Vaughan, declined.

ANDREW JOHNSON.

WASHINGTON, D. C., *May* 30, 1868.

To the Senate of the United States:

I nominate Edward Dodd to be marshal of the United States for the northern district of New York, his previous term of office having expired.

ANDREW JOHNSON.

EXECUTIVE MANSION, *May* 30, 1868.

To the Senate of the United States:

I nominate Joseph T. K. Plant to be a justice of the peace in and for the county of Washington, District of Columbia.

ANDREW JOHNSON.

EXECUTIVE MANSION, *May* 30, 1868.

To the Senate of the United States:

I nominate Robert L. Matthews, of Indiana, to be consul of the United States at Naples, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, *2d June*, 1868.

To the Senate of the United States:

I nominate John Burke, of Louisiana, to be receiver of public moneys for the district of lands subject to sale at New Orleans, Louisiana, vice William M. Daily, declined.

ANDREW JOHNSON.

WASHINGTON, D. C., *June* 2, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment in the Army of the United States, they having passed the examination required by law.

Frank U. Robinson, late first lieutenant of the One hundred and twenty-fifth Regiment United States Colored Troops, to be second lieutenant in the Nineteenth Regiment United States Infantry, March 13, 1868, vice Appleton, promoted.

Bernard Reilly, jr., late first lieutenant of the Seventh Pennsylvania Cavalry, to be second lieutenant in the Fifth Regiment United States Calvary, May 4, 1868, vice Babcock, promoted.

William J. Ross, late major of the Twenty-ninth Connecticut Volunteers, to be second lieutenant in the Thirty-second Regiment United States Infantry, May 5, 1868, vice Hottard, dismissed.

ANDREW JOHNSON.

WASHINGTON, *May 25th*, 1868.

To the Senate of the United States:

I nominate the officers herein named for regular promotion in the Army of the United States:

Fourth Regiment of Cavalry.

Second Lieutenant William C. Bayliss to be first lieutenant, March 17, 1868, vice Alman, deceased.

Sixth Regiment of Cavalry.

First Lieutenant William A. Rafferty to be captain, May 14, 1868, vice McLean, resigned.

Eighth Regiment of Cavalry.

First Lieutenant Charles Hobart to be captain, March 26, 1868, vice Brownlow, resigned.

Third Regiment of Artillery.

Second Lieutenant Constantine Chase to be first lieutenant, March 26, 1868, vice Fine, resigned.

First Regiment of Infantry.

First Lieutenant Charles D. Viele to be captain, April 22, 1868, vice Robinett, deceased.

Second Lieutenant Allen Smith to be first lieutenant, April 22, 1868, vice Viele, promoted.

Third Regiment of Infantry.

Second Lieutenant Charles L. Umbstaetter to be first lieutenant, May 13, 1868, vice Brown, deceased.

Ninth Regiment of Infantry.

Major Dickinson Woodruff, of the Twenty-first Infantry, to be lieutenant-colonel, March 26, 1868, vice Townsend, resigned.

Second Lieutenant George F. Foote to be first lieutenant, April 21, 1868, vice Blaker, resigned.

Tenth Regiment of Infantry.

First Lieutenant Thomas H. French to be captain, March 26, 1868, vice Macy, resigned.

Second Lieutenant George A. Drew to be first lieutenant, March 26, 1868, vice French, promoted.

Second Lieutenant John F. Stretch to be first lieutenant, March 26, 1868, vice Scott, resigned.

Second Lieutenant Dwight H. Kelton to be first lieutenant, March 26, 1868, vice Stretch, the regimental adjutant.

Fifteenth Regiment of Infantry.

Second Lieutenant Robert E. Bradford to be first lieutenant, May 14, 1868, vice Schall, resigned.

Second Lieutenant William J. Sartle to be first lieutenant, May 14, 1868, he being the regimental adjutant.

Seventeenth Regiment of Infantry.

Second Lieutenant William H. H. Crowell to be first lieutenant, December 17, 1867, vice Bascom, the regimental adjutant.

Nineteenth Regiment of Infantry.

Second Lieutenant William H. French, jr., to be first lieutenant, May 6, 1868, vice Clarke, deceased.

Second Lieutenant Argalus G. Hennisee to be first lieutenant, May 14, 1868, vice Campbell, resigned.

Twentieth Regiment of Infantry.

Major Lewis C. Hunt, of the Fourth Infantry, to be lieutenant-colonel, March 29, 1868, vice Watkins, deceased.

Twenty-first Regiment of Infantry.

Captain Thomas M. Anderson to be major, March 26, 1868, vice Woodruff, promoted lieutenant-colonel of the Ninth Infantry.

First Lieutenant Madison Earle to be captain, March 26, 1868, vice Anderson, promoted major.

Second Lieutenant Ebenezer W. Stone to be first lieutenant, March 26, 1868, vice Earle, promoted.

Twenty-fourth Regiment of Infantry.

Second Lieutenant Max Wesendorff to be first lieutenant, April 21, 1868, vice Paul, resigned.

Twenty-ninth Regiment of Infantry.

Second Lieutenant William S. Mackay to be first lieutenant, March 26, 1868, vice Olcott, resigned.

Forty-first Regiment of Infantry.

Second Lieutenant Alfred C. Markley to be first lieutenant, March 31, 1868, vice Donovan, the regimental adjutant.

ANDREW JOHNSON.

WASHINGTON, *May* 25, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be first lieutenants by brevet.

Second Lieutenant George S. L. Ward, of the Thirty first Regiment United States Infantry, for gallant and meritorious services in the battle of Hatcher's Run, Va., December 9, 1864, to date from March 2, 1867.

Second Lieutenant William H. French, jr., of the Nineteenth Regiment United States Infantry, for gallant and meritorious services in the battle of Antietam, Md., to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *May* 12, 1867.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States.

To be captains by brevet.

First Lieutenant Thomas S. Doebler, of the United States Army, for gallant and meritorious services in the battle of Snicker's Gap, Va., to date from March 13, 1865.

Brevet First Lieutenant George S. L. Ward, second lieutenant in the Thirty first Regiment United States Infantry, for gallant and meritorious services in the campaign terminating in Lee's surrender, April 9, 1865, to date from March 2, 1867.

Brevet First Lieutenant William H. French, jr., second lieutenant in the Nineteenth Regiment United States Infantry, for gallant and meritorious services in the battle of Cold Harbor, Va., to date from March 2, 1867.

First Lieutenant Henry C. Dodge, of the Second Regiment United States Artillery, for gallant and meritorious services in the battle of Cold Harbor, Va., to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *May* 12, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States.

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To be major by brevet.

Captain Robert Chandler, of the Thirteenth Regiment United States Infantry, for gallant and meritorious services in the battle of Antietam, Md., to date from March 2, 1867.

Captain George W. Graham, of the Tenth Regiment United States Cavalry, for gallant and meritorious services during the war, to date from May 29, 1867.

ANDREW JOHNSON.

WASHINGTON, *May* 20, 1868.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be lieutenant-colonel by brevet.

Brevet Major George W. Graham, captain in the Tenth Regiment United States Cavalry, for gallant and meritorious services during the war, to date from May 29, 1867.

ANDREW JOHNSON.

WASHINGTON, *May* 20, 1868.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be colonel by brevet.

Lieutenant-Colonel William H. Wood, of the First Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *May* 25, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be first lieutenants by brevet.

Joseph N. Flint, late second lieutenant in the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

Andrew J. Lorish, late second lieutenant of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from April 5, 1865.

Henry N. Schlick, late second lieutenant of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *May* 12, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be captains by brevet.

Frank S. Adams, late first lieutenant and adjutant of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

Robert Roe, late assistant surgeon of the Nineteenth New York Cavalry, for faithful and meritorious services during the war, to date from March 13, 1865.

William W. Winnegar, late first lieutenant of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from April 9, 1865.

J. B. Slater, late first lieutenant of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

Henry Gales, late first lieutenant of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet First Lieutenant Joseph N. Flint, late second lieutenant of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

George B. Yeomans, late first lieutenant of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

Arthur H. Watts, late first lieutenant of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

Charles W. McIntosh, late first lieutenant of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

Charles E. Lewis, late first lieutenant of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet First Lieutenant Henry N. Schlick, late second lieutenant of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *May* 12, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be majors by brevet.

William Rawle Brooke, late captain of the Third Pennsylvania Cavalry, for gallant and meritorious services in the battle of Hatcher's Run, Va., December 9, 1864, to date from March 13, 1865.

David J. Lynch, late captain of the Fifty-eighth Illinois Volunteers, for gallantry at Shiloh, Corinth, and Tupelo or Yellow Bayou, La., to date from March 13, 1865.

Brevet Captain Frank S. Adams, late first lieutenant and adjutant of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

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Brevet Captain Robert Roe, late assistant surgeon of the Nineteenth New York Cavalry, for faithful and meritorious services during the war, to date from March 13, 1865.

John P. Robinson, late captain of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

George T. Hamilton, late captain of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

William H. H. Emmons, late captain and assistant adjutant-general of Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Wheeler Hakes, late captain of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

James Lemon, late captain of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

Andrew J. Leach, late captain of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

Russell A. Britton, late captain of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

W. H. A. Godfrey, late captain of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

William C. Morey, late captain of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

Leander S. Callaghan, late captain of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

Justus F. Coy, late captain of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

Eugene S. Gunson, late captain of the One hundred and sixty-second New York Volunteers, for gallant and meritorious services at the siege of Port Hudson, La., and battle of Pleasant Hill, La., to date from March 13, 1865.

George W. Robertson, late captain of the Twenty-second Michigan Volunteers, for meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *May* 12, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be lieutenant-colonels by brevet.

Brevet Major William Rawle Brooke, late captain of the Third Pennsylvania Cavalry, for gallant and meritorious services in the campaign terminating in Lee's surrender, April 9, 1865, to date from April 9, 1865.

Brevet Major Frank S. Adams, late first lieutenant and adjutant of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

Benjamin T. Kneeland, late surgeon of the Nineteenth New York Cavalry, for assidnons and nnwearied services to the wounded while in the skirmish line during the war, to date from March 13, 1865.

Jacob W. Knapp, late major of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Major John P. Robinson, late captain of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Major George T. Hamilton, late captain of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Major William H. H. Emmons, late captain and assistant adjutant-general of Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Major James Lemon, late captain of the Nineteenth New York Cavalry, for gallant and meritorions services during the war, to date from March 13, 1865.

Brevet Major Russell A. Britton, late captain of the Nineteenth New York Cavalry, for gallant and meritorions services during the war, to date from March 13, 1865.

Brevet Major William C. Morey, late captain of the Nineteenth New York Cavalry, for gallant and meritorions services during the war, to date from March 13, 1865.

Brevet Major Leander S. Callaghan, late captain of the Nineteenth New York Cavalry, for gallant and meritorions services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *May* 12, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be colonels by brevet.

William W. Dudley, late lieutenant-colonel of the Nineteenth Indiana Volunteers, for gallantry at the battle of Gettysburg, Pa., July 3, 1863, to date from March 13, 1865.

Brevet Lieutenant-Colonel Benjamin T. Kneeland, late surgeon of the Nineteenth New York Cavalry, for assidnous and unwearied services to the wounded while in the skirmish line during the war, to date from March 13, 1865.

Brevet Lieutenant-Colonel John P. Robinson, late captain of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Lieutenant-Colonel Russell A. Britton, late captain of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from April 1, 1865.

ANDREW JOHNSON.

WASHINGTON, *May* 12, 1868.

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To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be brigadier-generals by brevet.

David Morrison, late colonel of the Seventy-ninth New York Volunteers, for gallant and meritorious conduct in action near Spottsylvania Court House, Va., to date from March 13, 1865.

Brevet Colonel William W. Dudley, late lieutenant-colonel of the Nineteenth Indiana Volunteers, for gallantry at the battle of Gettysburg, Pa., July 3, 1863, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *May* 12, 1868.

To the Senate of the United States:

I communicate for the information of the Senate, in confidence, a report of the Secretary of State accompanied by a copy of a dispatch recently received from the acting consul of the United States at San José, Costa Rica.

ANDREW JOHNSON.

WASHINGTON, *June* 2, 1868.

The messages were read.

Ordered, That the nominations of Harvey Beckwith, Chambers C. Davis, John T. Fortson, and Colby Knapp be referred to the Committee on Finance.

Ordered, That the nomination of Edward Dodd be referred to the Committee on the Judiciary.

Ordered, That the nomination of Joseph T. K. Plant be referred to the Committee on the District of Columbia.

Ordered, That the nominations of William L. Howard and John Burke be referred to the Committee on Public Lands.

Ordered, That the nomination of Robert L. Matthews be referred to the Committee on Commerce.

Ordered, That the nominations of Frank A. Robinson and others, William C. Bayliss and others, George S. L. Ward and Wm. H. French jr., Thomas H. Doebler and others, Robert Chandler and George W. Graham (2 brevet nominations), William H. Wood, Joseph N. Flint and others, Frank S. Adams and others, Wm. Rawle Brooke and others (brevet majors), William Rawle Brooke and others (brevet lieutenant-colonels), Wm. W. Dudley and others, David Morrison and William W. Dudley (brevet brigadier-general), be referred to the Committee on Military Affairs and the Militia.

On motion by Mr. Sumner,

Ordered That the report of the Secretary of State, relative to proposed negotiations by the Government of Prussia with the Government of Costa Rica concerning a naval station to be obtained by the former in the Caribbean Sea, be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

Mr. Sumner, from the Committee on Foreign Relations, to whom was recommitted, the 6 March last, the nomination of Samuel S. Cox, and to whom was committed, the 24 of February last, the nomination of George B. McClellan, reported adversely thereon.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 29 April last, the nomination of H. G. Worthington, reported favorably thereon.

Mr. Sherman, from the Committee on Finance, to whom were referred, the 20 March last, the nominations of Henry H. Green and Walter E. Carlin, reported adversely thereon.

Mr. Morrill, of Maine, from the Committee on Commerce, to whom was referred, the 4th April, the nomination of Charles S. Hull, reported adversely thereon.

Mr. Morrill, of Maine, from the Committee on Indian Affairs, to whom was referred, the 20 March last, the nomination of Mahlon Wilkinson, reported favorably thereon.

On motion by Mr. Morrill, of Maine,

Ordered, That the Committee on Naval Affairs be discharged from the further consideration of the nomination of Wesley O. Holway.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Stewart,

The Senate proceeded to consider the nomination of Henry Stanbury; and

On the question, Will the Senate advise and consent to his appointment?

It was determined in the negative, { Yeas 11
Nays 29

On motion by Mr. Buckalew,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Buckalew, Doolittle, Fowler, Hendricks, Johnson, McCreery, Patterson of Tennessee, Ross, Sherman, Van Winkle, Vickers.

Those who voted in the negative are,

Messrs. Anthony, Cameron, Cattell, Chandler, Cole, Conkling, Conness, Cragin, Drake, Edmunds, Frelinghuysen, Howard, Howe, Morgan, Morrill of Maine, Morrill of Vermont, Nye, Patterson of N. Hampshire, Pomeroy, Ramsey, Stewart, Sumner, Thayer, Tipton, Wade, Willey, Williams, Wilson, Yates.

Mr. Yates, from the Committee on Territories, to whom was referred, the 16 December last, the nomination of Isaac L. Gibbs, reported favorably thereon.

Mr. Chandler, from the Committee on Commerce, to whom was referred, the 9 March last, the nomination of Oliver Mungen, reported favorably thereon.

The Senate proceeded to consider the resolution, reported by Mr. Van Winkle, the 10th January last, from the Committee on Finance, relative to the suspension from office of William James and the nomination thereto of John E. Mulford.

On motion by Mr. Conness, to amend the resolution by striking out all after the word "resolution" and inserting in lieu thereof the words: *that the Senate do not concur in the suspension of William James, collector of internal revenue for the 3d district of Virginia, and do not advise and consent to his removal from said office*,

On the question to agree thereto,

Pending debate,

On motion by Mr. Hendricks,

The Senate adjourned.

FRIDAY, JUNE 5, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate W. H. Parker to be secretary of the Territory of Idaho, vice S. R. Howlett.

ANDREW JOHNSON.

WASHINGTON, *June* 5, 1868.

To the Senate of the United States:

I nominate Nathan Goff, jr., to be United States attorney for the district of West Virginia, in place of B. H. Smith, resigned.

ANDREW JOHNSON.

EXECUTIVE MANSION, *June* 5, 1868.

To the Senate of the United States:

I nominate James S. Millson to be attorney of the United States for the district of Virginia, in the place of L. H. Chandler, whose term of office will expire June 30, 1868.

ANDREW JOHNSON.

EXECUTIVE MANSION, *June 5th*, 1868.

To the Senate of the United States:

I nominate I. Mason Goszler to be a justice of the peace in and for the county of Washington, District of Columbia.

ANDREW JOHNSON.

EXECUTIVE MANSION, *June* 5, 1868.

To the Senate of the United States:

I nominate Martin T. McMahon, of New York, to be minister resident of the United States to Paragnay, vice Charles A. Washburn, resigned.

ANDREW JOHNSON.

WASHINGTON, *5th June*, 1868.

The messages were read.

Ordered, That the nomination of W. H. Parker be referred to the Committee on Territories.

Ordered, That the nominations of Nathan Goff and John S. Millson be referred to the Committee on the Judiciary.

Ordered, That the nomination of J. Mason Goszler be referred to the Committee on the District of Columbia.

Ordered, That the nomination of Martin T. McMahon be referred to the Committee on Foreign Relations.

Mr. Chandler, from the Committee on Commerce, to whom was referred, the 16th December last, the nomination of Joseph H. Thompson, reported adversely thereon.

Mr. Trumbull, from the Committee on the Judiciary, to whom was referred, the 4th April last, the nomination of Richard T. Miller, reported favorably.

Mr. Cragin, from the Committee on Naval Affairs, to whom were referred, the 21 May last, the nominations of John W. Haverstick, Erasmus Clarke Dunning, and Melancthon Love Ruth, James J. Kane, George E. Tower, Nathan P. Towne, Henry C. Beckwith, Daniel W. Grafley,

William S. Neal, Henry C. Blye, and Asaph Dunbar, Newton H. Adams, and James Morrison Scott, William P. McCann, William K. Van Reypen, and Napoleon B. Harrison, reported favorably thereon.

Mr. Cragin, from the Committee on Naval Affairs, to whom were referred, the 29th May last, the nominations of Thomas Turner, John L. Worden, and Alexander M. Pennock, reported favorably thereon.

Whereupon

Resolved, That the Senate advise and consent to the appointment of Thomas Turner and John L. Worden, agreeably to their nominations respectively.

On motion by Mr. Hendricks,

Ordered, That the rule of the Senate be suspended so far as to permit the foregoing resolution to be laid before the President of the United States forthwith.

The Senate proceeded to consider the unfinished business of the 2d instant, being the resolution reported by Mr. Van Winkle, from the Committee on Finance, the 10th January last, relative to the suspension from office of William James and the nomination thereto of John E. Mulford.

The question being on the amendment of Mr. Conness, to wit, strike out all after the word "Resolved," and insert: *That the Senate do not concur in the suspension of William James, collector of internal revenue for the 3d district of Virginia, and do not advise and consent to his removal from said office*,

The question being taken,

It was determined in the affirmative.

So the amendment was agreed to.

On the question to agree to the resolution as amended,

It was determined in the affirmative.

So it was

Resolved, That the Senate do not concur in the suspension of William James, collector of internal revenue for the 3d district of Virginia, and do not advise and consent to his removal from office.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Mr. Trumbull, from the Committee on the Judiciary, to whom was referred this day the nomination of Nathan Goff, reported favorably thereon.

The Senate proceeded to consider the nomination of George S. Gale; and,

On motion by Mr. Morgan,

Ordered, That the said nomination be recommitted to the Committee on Finance.

The Senate proceeded to consider the nomination of Joseph S. C. Rowland; and

Resolved, That the Senate do not advise and consent to his appointment.

The Senate proceeded to consider the nomination of Thomas B. Asten; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. McCreery,

The Senate proceeded to consider the nomination of Alfred Allen; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Thayer,

The Senate proceeded to consider the nomination of H. G. Worthington; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Johnson,

Ordered, That the rule of the Senate be suspended so far as to permit the foregoing resolution to be laid before the President of the United States forthwith.

On motion by Mr. Morrill, of Maine,

The Senate proceeded to consider, as in Committee of the Whole, the supplemental article to a treaty between the United States and the Cherokee Nation of Indians, concluded July 19, 1866, and it was read the second time.

On the question, Will the Senate advise and consent to the ratification of said article?

On motion by Mr. Ramsey,

The Senate adjourned.

SATURDAY, JUNE 6, 1868.

On motion by Mr. Trumbull,

Ordered, That the resolution that the Senate advise and consent to the appointment of Joseph S. C. Rowland be reconsidered.

On motion by Mr. Sherman,

Ordered, That the Secretary request the President of the United States to return to the Senate the resolution advising and consenting to the appointment of H. G. Worthington.

Mr. Sherman submitted the following motion for consideration:

That the resolution that the Senate advise and consent to the appointment of H. G. Worthington be reconsidered.

Mr. Sherman, from the Committee on Finance, to whom were referred, the 20 March, the nomination of Julius Newburg, and the 2d instant that of Colby Knapp, reported adversely thereon.

Whereupon

Resolved, That the Senate do not advise and consent to the appointment of the said persons.

Mr. Wilson, from the Committee on Military Affairs and the Militia, to whom was referred, the 28 February last, the nomination of John H. Broadhead, reported favorably thereon.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Pomeroy, from the Committee on Public Lands, to whom was referred, the 2d instant, the nomination of William L. Howard, reported favorably thereon.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

The Senate proceeded to consider the nominations of James H. Carleton, W. W. Randall, Alfred T. Lacey, Mahlon Wilkinson, Oliver Mungen, John W. Haverstick, Erasmus Clarke Dunning, and Melancthon Love Ruth, James J. Kane, George E. Tower, Nathan P. Towne, Henry C. Beckwith, Daniel W. Grafley, William S. Neal, Henry C. Bly, Asaph Dunbar, Newton H. Adams, James Morrison Scott, William P. McCann, William K. Van Reypen, Napoleon B. Harrison, Alexander M. Pennock, and Nathan Goff; and

Resolved, That the Senate advise and consent to the appointment of said persons, agreeably to their nominations respectively.

The Senate proceeded to consider the nominations of Josiah Durham, Henry H. Green, Walter E. Carlin, and Charles S. Hull; and

Resolved, That the Senate do not advise and consent to the appointment of said persons.

The Senate proceeded to consider the nomination of James H. Chamberlain; and

On motion by Mr. Morrill, of Maine,

Ordered, That said nomination lie on the table.

The Senate proceeded to consider the nomination of George B. McClellan; and

The question being, Will the Senate advise and consent to his appointment?

It was determined in the negative, { Yeas 9
Nays ..... 28 }

On motion by Mr. Buckalew,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Bayard, Buckalew, Doolittle, Fowler, Hendricks, Johnson, McCreery, Patterson of Tennessee, Vickers.

Those who voted in the negative are,

Messrs. Cole, Conkling, Conness, Cragin, Drake, Ferry, Fessenden, Frelinghuysen, Harlan, Howard, Morgan, Morrill of Vt., Morrill of Me., Morton, Nye, Patterson of N. Hampshire, Pomeroy, Ross, Sherman, Sumner, Thayer, Tipton, Trumbull, Wade, Willey, Williams, Wilson, Yates.

So it was

Resolved, That the Senate do not advise and consent to the appointment of George B. McClellan.

The Senate resumed, as in Committee of the Whole, the consideration of the supplemental article to a treaty between the United States and the Cherokee Nation of Indians, concluded at Washington, July 19, 1866, and no amendment being made, it was reported to the Senate.

On motion by Mr. Frelinghuysen, to amend the second modification of the article by striking out the words "to which they are entitled under the provisions of the 17th article, and amendments thereto, of the said Cherokee treaty of August 11, 1866, and inserting in lieu thereof the words: *by them actually settled and improved, they paying therefor one dollar and twenty-five cents per acre*, by striking out the word "the" before the word "date," and inserting in lieu thereof the word *this*, and by striking out the words "of said treaty" after the word "date."

It was determined in the negative.

So the amendment was not agreed to.

No further amendment being proposed, Mr. Morrill, of Maine, submitted the following resolution for consideration:

Resolved (*two-thirds of the Senators present concurring*), That the Senate advise and consent to the ratification of the supplemental article to a treaty between the United States and the Cherokee Nation of Indians, concluded at Washington City, July 19th, 1866, ratified with amendments July 27th, 1866, amendments accepted July 31, 1866, and the whole proclaimed August 11, 1866.

The Senate, by unanimous consent, proceeded to consider the said resolution.

On the question to agree thereto,

It was determined in the affirmative, { Yeas 25
Nays ..... 3 }

Those who voted in the affirmative are,

Messrs. Cole, Conkling, Conness, Corbett, Cragin, Doolittle, Fessenden, Harlan, Hendricks, Howard, Johnson, Morgan, Morrill of Me., Nye, Patterson of N. Hampshire, Patterson of Tenn., Pomeroy, Ross, Stewart, Thayer, Trumbull, Van Winkle, Vickers, Willey, Wilson.

Those who voted in the negative are,

Messrs. Frelinghuysen, McCreery, Wade.

Ordered, That the Secretary lay the said resolution before the President of the United States.

TUESDAY, JUNE 9, 1868.

The following message was received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Lorenzo D. Simons to be assessor of internal revenue for the first district of New York, to fill an original vacancy.

ANDREW JOHNSON.

WASHINGTON, D. C., *June 6th*, 1868.

To the Senate of the United States:

I nominate the person herein named for appointment in the Army of the United States:

To be post chaplin.

Z. Ragan, of Ohio, March 28, 1868, vice Elliott, deceased.

ANDREW JOHNSON.

WASHINGTON, *March* 28, 1868.

To the Senate of the United States:

I nominate Hiram Calkins, of Wisconsin, whose term of office has expired, to be receiver of public moneys for the district of lands subject to sale at Falls St. Croix, Wisconsin.

ANDREW JOHNSON.

WASHINGTON, D. C., *June 6th*, 1868.

To the Senate of the United States:

I withdraw the nomination (submitted to the Senate on the 17th of March last) of Lyman M. Newton to be collector of customs for the district of Genesee, New York.

ANDREW JOHNSON.

WASHINGTON, D. C., *June 6th*, 1868.

To the Senate of the United States:

In compliance with the request of the Senate of the 6th instant, I return herewith their resolution of June 5th, advising and consenting to the appointment of H. G. Worthington, of Nevada, to be minister resident of the United States to the Argentine Republic.

ANDREW JOHNSON.

WASHINGTON, D. C., *June* 8, 1868.

The messages were read.

Ordered, That the nomination of Lorenzo D. Simons be referred to the Committee on Finance.

Ordered, That the nomination of Z. Ragan be referred to the Committee on Military Affairs and the Militia.

Ordered, That the nomination of Hiram Calkins be referred to the Committee on Public Lands.

On motion by Mr. Sherman,

Ordered, That he have leave to withdraw the motion, submitted by him the 6th instant, that the resolution advising and consenting to the appointment of H. G. Worthington be reconsidered.

Mr. Conkling submitted the following motion for consideration:

That the resolution advising and consenting to the appointment of Alfred T. Lacey be reconsidered.

On motion by Mr. Hendricks, that the Secretary request the President of the United States to return to the Senate the resolution that the Senate advise and consent to the ratification of a supplemental article to a treaty between the United States and Cherokee Nation of Indians, concluded July 19, 1866.

On the question to agree thereto,

It was determined in the negative.

Mr. Morrill, of Maine, from the Committee on Commerce, to whom were referred, the 7th April last, the nominations of Joseph R. Delan Russell Glover, and Charles F. Shoemaker, reported favorably thereon.

On motion by Mr. Morrill, of Maine,

The Senate proceeded to consider, as in Committee of the Whole, the treaty between the United States and the Seneca, Confederated Seneca and Shawnee, Quapaw, Ottawa, Confederated Peoria, Kaskaskia, Wea and Piankeshaw, and Miami tribes of Indians, concluded the 23 February, 1867, and it was read the second time.

On the question to agree to the amendments reported by the Committee on Indian Affairs,

On motion by Mr. Ramsey,

The Senate adjourned.

FRIDAY, JUNE 12, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate John E. Gillespie, of Pennsylvania, to be an assistant surgeon in the Navy, to fill a vacancy in that grade.

ANDREW JOHNSON.

WASHINGTON. CITY, 10 *June*, 1868.

To the Senate of the United States:

I nominate Henry Naylor to be a member of the levy court for the county of Washington, District of Columbia.

ANDREW JOHNSON.

EXECUTIVE MANSION, *June 9th*, 1868

To the Senate of the United States:

I withdraw the nomination of Owen Thorn to be a member of the levy court for the county of Washington, District of Columbia, submitted to the Senate December 17, 1867.

ANDREW JOHNSON.

WASHINGTON, D. C., *June 9th*, 1868.

To the Senate of the United States:

I nominate William Raymond Lee to be assessor of internal revenue for the third district of Massachusetts, in place of Wm. S. King, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *June 8th*, 1868.

To the Senate of the United States:

I nominate James Forsyth to be collector of internal revenue for the 15th district of New York, vice A. C. Greer, resigned.

ANDREW JOHNSON.

EXECUTIVE MANSION, *June 9th*, 1868.

To the Senate of the United States:

I nominate Charles J. Barbour to be appraiser of merchandise for the port of Portland, Maine, in place of Otis Cutler, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *June* 10, 1868.

To the Senate of the United States:

I nominate Edward C. Darlington to be collector of customs for the district of Yorktown, in the State of Virginia, in place of John W. Dixon, to be removed for inefficiency.

ANDREW JOHNSON.

WASHINGTON, D. C., *June 9th*, 1868.

To the Senate of the United States:

I nominate Constant K. Hall to be collector of customs for the district of Texas, in the State of Texas, in place of Oscar Minor, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *June* 9, 1868.

To the Senate of the United States:

I nominate Reverdy Johnson, of Maryland, to be envoy extraordinary and minister plenipotentiary of the United States to England, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, 12*th June*, 1868.

To the Senate of the United States:

I nominate B. F. Dennison to be associate justice of the supreme court of Washington Territory, in the place of C. B. Darwin, removed.

ANDREW JOHNSON.

EXECUTIVE MANSION, *June 12th*, 1868.

To the Senate of the United States:

I nominate Alexander E. Mayhew to be United States attorney for the Territory of Montana, in the place of Moses Veale, resigned.

ANDREW JOHNSON.

EXECUTIVE MANSION, *June* 11, 1868.

To the Senate of the United States:

I nominate James Coey to be collector of internal revenue for the 1st district of California, in place of Frank Soule, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *June* 11, 1868.

To the Senate of the United States:

I nominate Joseph McConnell, of Illinois, for appointment as commissioner under the act approved March 29, 186–, to reimburse the State of Indiana for moneys expended for the United States in enrolling, equipping, and provisioning militia to aid in suppressing the rebellion.

ANDREW JOHNSON.

WASHINGTON, D. C., *June* 10, 1868.

To the Senate of the United States:

I nominate L. Newton Robinson, of Ohio, to be superintendent of Indian affairs for the Southern Superintendency, vice James Wortham.

ANDREW JOHNSON.

WASHINGTON, D. C., *June 12th*, 1868.

The messages were read.

Ordered, That the nomination of John E. Gillespie be referred to the Committee on Naval Affairs.

Ordered, That the nomination of Henry Naylor be referred to the Committee on the District of Columbia.

Ordered, That the nominations of William Raymond Lee, James Forsyth, and James Coey be referred to the Committee on Finance.

Ordered, That the nominations of Charles J. Barbour, Edward C. Darlington, and Constant K. Hall be referred to the Committee on Commerce.

Ordered, That the nominations of B. F. Dennison and Alexander M. Mayhew be referred to the Committee on the Judiciary.

Ordered, That the nomination of Joseph McConnell be referred to the Committee on Military Affairs and the Militia.

Ordered, That the nomination of L. Newton Robinson be referred to the Committee on Indian Affairs.

On motion by Mr. Sumner,

The Senate proceeded, by unanimous consent, to consider the nomination of Reverdy Johnson; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Sumner,

Ordered, That the 20th rule of the Senate be suspended so far as to permit the foregoing resolution to be laid before the President of the United States forthwith.

On motion by Mr. Cameron,

Ordered, That the Committee on the District of Columbia be discharged from the further consideration of the nomination of Gilbert M. Giberson.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Drake, from the Committee on Naval Affairs, to whom were referred, the 21 May last, the nominations of James M. Forsyth and others and James B. Breese, reported favorably thereon.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 28 February last, the nomination of John W. Caldwell, reported favorably thereon.

Mr. Williams, from the Committee on Finance, to whom were referred, the 2d instant, the nominations of Harvey Beckwith and John T. Fortson, reported adversely thereon.

The Senate resumed, as in Committee of the Whole, the consideration of the unfinished business, being the treaty between the United States and the Seneca, Confederated Senaca and Shawnee, Quapaw, Ottawa, Confederated Peoria, Kaskaskia, Wea and Piankeshaw, and Miami tribes of Indians, concluded the 23d February, 1867.

On the question to agree to the amendment reported by the Committee on Indian Affairs to Article IV, to wit: Strike out the words "And the land in Kansas herein ceded shall be open to entry and settlement the same as other public lands, within sixty days after the completion of the survey thereof,"

It was determined in the affirmative.

On motion by Mr. Morrill, of Maine, to further amend Article IV, as follows, to wit: Insert at the end thereof the words *under the pre-emption laws of the United States; but all such pre-emption shall be paid in the money of the United States, at the proper land-office, within one year from the date of entry and settlement*,

It was determined in the affirmative.

On the question to agree to Article IV as amended, it was determined in the affirmative.

On the question to agree to the amendment reported by the Committee, to wit, strike out Article XII,

On motion by Mr. Pomeroy to amend Article XII as follows, to wit: Strike out the following words: "upon such report make such awards as he may deem equitable and just, and upon such award the United States will pay the claimants the amounts declared to be due: *Provided*, That the sums so paid shall not exceed $35,000 for the Senecas, $25,000 for the Shawnees, and $30,000 for the Quapaws; and if the awards shall exceed such amounts in either case, the claimants shall be paid *pro rata* from the amount appropriated," and insert in lieu thereof the words *report the same to Congress*,

It was determined in the affirmative.

On motion by Mr. Morrill, of Maine, to further amend Article XII as follows, to wit: Strike out the words "the Government being under obligation to protect them, but for the time unable to do so,"

It was determined in the affirmative.

On the question to agree to Article XII as amended,

It was determined in the affirmative.

On the question to agree to the amendment reported by the committee to Article XIV, to wit: Strike out the words "and the United States further agree to pay to the said Wyandotts the sum of $11,727.74, being the amount of taxes levied under the authority of the State of Kansas, contrary to the terms of the treaty of 1855, previous to the organization of the State Government, and for five years thereafter,"

It was determined in the affirmative.

On motion by Mr. Morrill, of Maine, to further amend Article XIV, as follows, to wit: Strike out the words "in consideration of which, the said Wyandotts receiving their portion of the said sum, shall in each case relinquish in writing, by themselves or through the Delaware agent as their guardian, all further claims against the United States, as to matters relating to the said taxes,"

It was determined in the affirmative.

On the question to agree to Article XIV as amended,

It was determined in the affirmative.

A further amendment being proposed by Mr. Harlan,

On motion by Mr. Hendricks,

The Senate adjourned.

SATURDAY, JUNE 13, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Michael Coyle Drennan, of Pennsylvania, to be an assistant surgeon in the Navy, to fill a vacancy in that grade.

ANDREW JOHNSON.

WASHINGTON CITY, 12 *June*, 1868.

To the Senate of the United States:

I nominate William Brown to be surveyor of the customs for the port of Hannibal, in the State of Missouri, under act approved March 12, 1868.

ANDREW JOHNSON.

WASHINGTON, *June* 13, 1868.

To the Senate of the United States:

I nominate George J. Anthony to be collector of internal revenue for the district of Kansas, vice Thomas Moonlight, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *June* 12, 1868.

To the Senate of the United States:

I nominate Robert White to be a justice of the peace in and for the county of Washington, District of Columbia.

ANDREW JOHNSON.

EXECUTIVE MANSION, *June* 13, 1868.

To the Senate of the United States:

I herewith submit to the Senate, for its constitutional action thereon, a treaty, concluded on the 27th ultimo, between commissioners on the part of the United States and the Great and Little Osage tribe of Indians, of Kansas, together with a communication from the Secretary of the Interior, suggesting an amendment to the 14th article, and a copy of the report of the commissioners.

ANDREW JOHNSON.

WASHINGTON, D. C., *June* 13, 1868.

The messages were read.

Ordered, That the nomination of Michael Coyle Drennan be referred to the Committee on Naval Affairs.

Ordered, That the nomination of William Brown be referred to the Committee on Commerce.

Ordered, That the nomination of George J. Anthony be referred to the Committee on Finance.

Ordered, That the nomination of Robert White be referred to the Committee on the District of Columbia.

The treaty between the United States and the Great and Little Osage tribe of Indians, concluded the 27th May, 1868, was read the first time.

On motion by Mr. Morrill, of Maine,

Ordered, That the said treaty be referred to the Committee on Indian Affairs, and, with the message and accompanying papers, printed in confidence for the use of the Senate.

Mr. Morgan, from the Committee on Finance, to whom was referred, the 12th instant, the nomination of James Forsyth, reported favorably thereon.

Mr. Williams, from the Committee on Finance, to whom was referred, the 12th March last, the nomination of John M. Corse, reported favorably thereon.

Mr. Morrill, of Maine, from the Committee on Commerce, to whom were referred, the 21st May last, the nomination of Hugh R. Grahame and others, reported favorably thereon.

Mr. Chandler, from the Committee on Commerce, to whom was referred, the 2d instant, the nomination of Robert L. Matthews, reported favorably thereon.

The Senate resumed the consideration, as in Committee of the Whole, of the treaty between the United States and the Seneca, Confederated Seneca and Shawnee, Quapaw, Ottawa, Confederated Peoria, Kaskaskia, Wea and Piankeshaw, and Miami tribes of Indians, concluded 23 February, 1867.

On motion by Mr. Harlan, to amend Article XVIII, as follows, to wit: Strike out the words, "Such amount, not exceeding $10,000, as may be found justly due to individual Ottawas for depredations and damages upon their property during the late war, the proof of such losses to be furnished to the Secretary of the Interior, and such amount shall be paid as may be adjudged by him to be equitably due, and"

It was determined in the affirmative.

On the question to agree to Article XVIII, as amended,

It was determined in the affirmative.

On the question to agree to the amendment reported by the Committee on Indian Affairs to Article XXIV, to wit: Strike out the words, "And if any amount is found to be due, such balance, together with the interest of their invested funds, shall be paid to them upon the 1st of July, 1867, and" and insert in lieu thereof the words *and reported to Congress*,

It was determined in the affirmative.

On the question to agree to Article XXIV as amended,

It was determined in the affirmative.

On the question to agree to the amendment reported by the committee to Article XXV, to wit: Strike out the words, "And if such taxes are decided to be lawful, then the Government will redeem the said lands from all taxes down to the date of any deeds approved by the Secretary of the Interior; in consideration of which relief to the Indians, they hereby relinquish all right to payment from the Government of any claims for damages to and depredations upon their property made by parties who claim under such tax titles, and also all claim for damages on account of unfairness of the sales of their lands in 1857,"

It was determined in the affirmative.

On the question to agree to Article XXV as amended,

It was determined in the affirmative.

On the question to agree to the amendment reported by the Committee to Article XXXII, to wit: Strike out the words, "&c., so far as relates to redeeming their lands from taxes, in case such taxes are decided to have been lawfully levied,"

It was determined in the affirmative.

On the question to agree to Article XXXII as amended,

It was determined in the affirmative.

On the question to agree to the amendment reported by the Committee to Article XXXIV, to wit: Strike out the words, "And in making such

account their mill, and blacksmith, and other annuities shall be reduced to their actual cash present value,

It was determined in the affirmative.

On the question to agree to Article XXXIV as amended,

It was determined in the affirmative.

On motion by Mr. Morrill, of Maine, to amend the treaty by striking out Article XXXVIII,

It was determined in the affirmative.

On motion by Mr. Morrill, of Maine, to amend Article XXXIX, as follows, to wit: Strike out the words, "Or capitalization of annuities and other funds,"

It was determined in the affirmative,

On the question to agree to Article XXXIX as amended,

It was determined in the affirmative.

On motion by Mr. Morrill, of Maine, to amend the treaty by striking out Article XLI,

It was determined in the affirmative.

On motion by Mr. Hendricks, to amend the treaty by striking out Articles XXIX, XXX, XXXI, XXXII, XXXIII, XXXIV, XXXV, XXXVI, XXXVII, and XXXIX, containing provisions relating to the Miamis,

It was determined in the affirmative.

On motion by Mr. Morrill, of Maine, that vote agreeing to amendment proposed by Mr. Hendricks be reconsidered,

On motion by Mr. Pomeroy,

Ordered, That the treaty as amended be printed.

WEDNESDAY, JUNE 17, 1868.

The following messages were received from the President of the United States by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate 2d Assistant Engineer William J. Montgomery to be a first assistant engineer in the Navy, to fill a vacancy in that grade.

ANDREW JOHNSON.

WASHINGTON CITY, *23d April*, 1868.

To the Senate of the United States:

I withdraw, at his own request, the nomination of T. P. Mott, of New York, to be minister resident of the United States to Costa Rica, submitted to the Senate on the 12th ultimo.

ANDREW JOHNSON.

WASHINGTON, D. C., *June 15th*, 1868.

The messages were read.

Ordered, That the nomination of Wm. J. Montgomery be referred to the Committee on Naval Affairs.

Mr. Doolittle, from the Committee on Indian Affairs, to whom was referred, the 20th of March last, the treaty between the United States and the Tabequache, Muache, Capote, Weeminache, Yampa, Grand River, and Uintah bands of Indians, concluded at Washington City, D. C., the 2d March, 1868, reported the same without amendment.

Mr. Doolittle, from the Committe on Indian Affairs, to whom was referred, the 14th of March last, the treaty between the United States and the Shawnee tribe of Indians, of Kansas, concluded the 2nd of March, 1866, reported the same with amendments.

On motion by Mr. Doolittle,

Ordered, That the said treaty with the reported amendments be printed.

Mr. Wilson, from the Committee on Military Affairs and the Militia, to whom were referred, the 9th of December last, the nominations of Edmund Pendleton, Wm. Russell, jr., Albert J. Garrett, Henry Lazenby, Luther M. Longshaw, Frank C. Morehead, the 16th of December last that of Robert Morrow and Wm. P. Gould, the 16th of January last that of George W. Wallace (to be col., brig. gen., and major-gen. by brevet), the 7th of April last that of Otho W. Budd and John C. Gray and Joseph G. Tull, reported adversely thereon.

Mr. Wilson, from the Committee on Military Affairs and the Militia, to whom were referred, the 9th of December last, the nominations of George W. Fetterman, Oscar Etting, Charles M. Bailey, Jacob H. Shellabarger, Wharton White, Charles M. Shepherd, George Taylor, W. S. Alexander, Garland N. Whistler, James H. Whitten, Charles H. Pettit, Charles R. Hinton, Cecil R. Banks, Lewis A. Arnold, John K. Waring, Wm Borthwick, Alexander M. Wetherill, David Q. Ronssean, Lewis Warrington, Pendleton Hunter, Richard T. Jacob, jr., James McB. Stembel, George B. McDermott, John M. Walton, Sydney W. Taylor, William P. Vanness, Charles G. Fisher, John Simpson, Edward G. Fast, Thomas V. Deary, Robert H. Patterson, Clermont L. Best, jr., Edward Law, Wm. C. Bayliss, Alfred B. Bache, George F. Mason, J. Edwin Leas, John H. Todd, Donald McIntosh, Robert S. Fletcher, Wm. L. Sherwood, Philip Reade, Dominick Lynch, jr., F. Beres Taylor, Hayden De Lany, the 11th December last that of J. Estcourt Sawyer, the 16th of December last that of James Dunn, the 20th of December last that of Frank M. Gibson, the 28th of February last those of Silas Pepoon and others, the 7th of April last those of Henry C. Johnson, John C. Graham, Edward Donovan, and others, and Charles E. Goddard and others, except Jos. L. Tull, reported adversely, and the 2d instant those of Bernard Reilly, jr., and Wm. C. Bayliss and others, reported favorably thereon.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 25th of March last, the convention between the United States and the Government of Italy for the surrender of criminals, signed the 23d of March, 1868, reported the same with an amendment.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 24th of February last, the nomination of James R. Hubbell, reported adversely thereon.

Mr. Trumbull, from the Committee on the Judiciary, to whom was referred, the 12th instant, the nomination of B. F. Dennison, reported favorably thereon.

Mr. Williams, from the Committee on Finance, to whom was referred, the 12th instant, the nomination of James Coey, reported favorably thereon.

Mr. Harlan, from the Committee on the District of Columbia, to whom was referred, the 12th instant, the nomination of Henry Naylor, reported adversely thereon.

Mr. Hendricks presented a memorial of the citizens of Kansas, remonstrating against the ratification of the treaty between the United States and the Great and Little Osage tribe of Indians; which was referred to the Committee on Indian Affairs.

Mr. Van Winkle, from the Committee on Finance, to whom was referred, the 7th of April last, the nomination of Wm. M. Murphy, reported favorably thereon.

Mr. Willey, from the Committee on the District of Columbia, to whom was referred, the 2d instant, the nomination of Joseph T. K. Plant, and the 5th instant that of J. Mason Goszler, reported favorably thereon.

Mr. Pomeroy presented a memorial of the citizens of Kansas, remonstrating against the ratification of the treaty between the United States and the Great and Little Osage Indians; which was referred to the Committee on Indian Affairs.

Mr. Pomeroy, from the Committee on Public Lands, to whom was referred, the 2d instant, the nomination of John Burke, and the 9th instant that of Hiram Calkins, reported favorably thereon.

Mr. Henderson, from the Committee on Indian Affairs, to whom was referred, the 12th instant, the nomination of L. Newton Robinson, reported favorably thereon.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

The consular convention between the United States and the King of Italy was read the 2d time, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Mr. Sumner submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the consular convention between the United States and the King of Italy, done at Washington, D. C., the 8th of February, 1868.

The Senate, by unanimous consent, proceeded to consider the said resolution; and on the question to agree thereto,

It was determined unanimously in the affirmative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

The convention between the United States and the Government of Italy for the surrender of criminals, signed on the 23d of March, 1868, was read the 2d time, and considered as in Committee of the Whole.

On the question to agree to the amendment reported by the Committee on Foreign Relations, to wit: In article 2, section 6, strike out the words, "of all things being titles on instruments of credit," and insert in lieu thereof the words: *of any title and instrument of credit whatsoever*,

It was determined in the affirmative.

No further amendment being proposed, the treaty was reported to the Senate, and the amendment was concurred in.

Mr. Sumner submitted the following resolution for consideraton:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the convention between the United States and the Government of Italy for the surrender of criminals, signed on the 23d of March, 1868, with the following amendment:

Article 2, section 6, strike out the words, "of all things being titles on instruments of credit," and insert in lieu thereof the words: *of any title and instrument of credit whatsoever*.

The Senate, by unanimous consent, proceeded to consider the said resolution; and on the question to agree thereto,

It was determined unanimously in the affirmative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Mr. Ross presented amendments which he intended to propose to the treaty between the United States and the Great and Little Osage Indians; which were ordered to be printed.

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The agreement between the diplomatic representatives of certain foreign powers in Japan, including the minister of the United States, on the one part, and plenipotentiaries on the part of the Japanese Government, relative to the settlement of Yokohama, concluded at Yeddo the 29th of December, 1866, was read the 2d time, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Mr. Sumner submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the agreement between the diplomatic representatives of certain foreign powers in Japan, including the minister of the United States on the one part, and plenipotentiaries on the part of the Japanese Government, relative to the settlement of Yokohama, concluded at Yeddo the 20th of December, 1866.

The Senate, by unanimous consent, proceeded to consider the said resolution; and on the question to agree thereto,

It was determined unanimously in the affirmative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

The treaty between the United States, Great Britain, France, the Netherlands, and Japan, concluded at Yeppo the 25th of June, 1866, was read the 2d time, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Mr. Sumner submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the treaty between the United States, Great Britain, France, the Netherlands, and Japan, concluded at Yeddo the 25th of June, 1866.

The Senate, by unanimous consent, proceeded to consider the said resolution; and on the question to agree thereto,

It was determined unanimously in the affirmative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

THURSDAY, JUNE 18, 1868.

On motion by Mr. Morgan,

The Senate proceeded to consider the nomination of James Forsyth; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Morgan,

Ordered, That the rule of the Senate be suspended so far as to permit the foregoing resolution to be sent to the President of the United States forthwith.

Mr. Van Winkle, from the Committee on Pensions, to whom was referred the 3d March last, the nomination of George S. Gale, reported favorably thereon.

Mr. Anthony, from the Committee on Naval Affairs, to whom was referred, the 12 instant, the nomination of John E. Gillespie, and the 17th instant that of Wm. J. Montgomery, reported favorably thereon.

On motion by Mr. Doolittle,

Ordered, That the nomination of Robert Morrow be recommitted to the Committee on Military Affairs and the Militia.

On motion by Mr. Williams,

The Senate, by unanimous consent, proceeded to consider the nomination of James Coey; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

The Senate resumed, as in Committee of the Whole, the consideration of the treaty between the United States and the Seneca, Confederated Seneca and Shawnee, the Quapaw, the Ottawa, the Confederated Peoria, Kaskaskia, Wea, and Piankeshaw, and Miami tribes of Indians, concluded the 23d of February, 1867.

On motion by Mr. Morrill, of Maine.

Ordered, That he have leave to withdraw the motion to reconsider the resolution to strike out articles 29, 30, 31, 32, 33, 34, 35, 36, 37, and 39.

On motion by Mr. Henderson to amend article 13 by striking out the words "And in order to recognize and provide for the said Wyandotts, many of whom have been in a disorganized and unfortunate condition since their treaty of 1855, it is provided that there shall be recognized as due and paid to the Wyandotts of all classes the sum of $83,814.40, as more particularly stated and described in the schedule annexed to this treaty, marked A.

It was determined in the affirmative.

On motion by Mr. Henderson to amend said treaty by striking out schedule A,

It was determined in the affirmative.

No further amendment being proposed, the treaty was reported to the Senate and the amendments were concurred in.

Mr. Henderson submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the treaty between the United States and the Seneca, Confederated Seneca and Shawnee, the Quapaw, Ottawa, Confederated Peoria, Kaskaskia, Wea, and Piankeshaw, and Miami tribes of Indians, concluded in the city of Washington, D. C., the 23d of February, 1867, with the following amendments:

Article 4. Insert at the end thereof the following words: *Under the pre-emption laws of the United States; but such pre-emption shall be paid in the money of the United States, at the proper land office, within one year from the date of entry and settlement.*

Article 12. Strike out the following words: "The Government being under obligations to protect them, but, for the time, unable to do so."

Same article. Strike out the following words: "Upon such report make such awards as he may deem equitable and just, and upon such award the United States will pay the claimants the amounts declared to be due: *Provided*, That the sums so paid shall not exceed thirty-five thousand dollars for the Senecas, twenty-five thousand dollors for the Shawnees, and thirty thousand dollars for the Quapaws; and if the awards shall exceed such amounts in either case, the claimants shall be paid pro rata from the amount appropriated," and insert in lieu thereof: *Report the same to Congress.*

Article 13. Strike out the following words: "And in order to reorganize and provide for the said Wyandotts, many of whom have been in a disorganized and unfortunate condition since their treaty of 1855, it is provided that there shall be recognized as due and paid to the Wyandotts of all classes the sum of eighty-three thousand eight hundred and fourteen dollars and forty cents, as more particularly stated and described in the schedule annexed to this treaty, marked A; and insert in lieu thereof the words:

And the Secretary of the Interior is hereby authorized and required to appoint three persons whose duty it shall be to ascertain and report to the

Department the amount, if any, due by the United States to the Wyandott Indians under existing treaty stipulations, and the items mentioned in schedule A, appended to this treaty, and the report of the persons so appointed, with the evidence, shall be submitted to Congress for action at its next session.

Article 14. Strike out the following words: "And the United States further agree to pay to the said Wyandotts the sum of $11,727.74, being the amount of taxes levied under the authority of the State of Kansas, contrary to the terms of the treaty of 1855, previous to the organization of the State government, and for five years thereafter, in consideration of which the said Wyandotts, receiving their portion of the said sum, shall in each case relinquish in writing, by themselves or through the Delaware agent as their guardian, all further claim against the United States as to matters relating to the said taxes."

Article 18. Strike out the following words: "Such amount, not exceeding $10,000, as may be found justly due to individual Ottawas for depredations and damages upon their property during the late war, the proof of such losses to be furnished to the Secretary of the Interior, and such amount shall be paid as may be adjudged by him to be equitably due, and."

Article 24. Strike out the words: "And if any amount is found to be due, such balance, together with the interest of their invested funds, shall be paid to them upon the 1st of July, 1867," and insert in lieu thereof the words: *And reported to Congress.*

Article 25. Strike out the words: "And if such taxes are decided to be lawful, then the Government will redeem the said lands from all taxes down to the date of any deeds approved by the Secretary of the Interior, in consideration of which relief to the Indians they hereby relinquish all right to payment from the Government of any claims for damages to and depredations upon their property, made by parties who claim under such tax-titles, and also all claim for damages on account of unfairness of the sales of their lands in 1857."

Strike out all of articles 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, and 41.

Strike out of the title of the treaty the words: "and the Miamies."

The Senate proceeded to consider the said resolution; and on the question to agree thereto,

It was determined unanimously in the affirmative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

On motion by Mr. Hendricks,

Ordered, That the treaty between the United States and the Pottawattomie tribe of Indians, concluded the 27th of February, 1867, be recommitted to the Committee on Indian Affairs.

Mr. Williams, from the Committee on Finance, to whom was recommitted, the 24th of March last, the nomination of Samuel S. Smead, reported favorably thereon.

The Senate proceeded to consider the nominations of Joseph H. Thompson and John T. Fortson; and

Resolved, That the Senate do not advise and consent to the appointment of the said persons.

The Senate proceeded to consider the nominations of Joseph R. Delan, Russell Glover, Charles F. Shoemaker, James B. Breese, James M. Forsyth, George B. Livingston, Henry J. Macy, William B. Newman, Thomas G. Grove, J. Q. A. Zeigler, John W. Caldwell, John M. Corse, Robert L. Matthews, and Hugh R. Graham, and others; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

SATURDAY, JUNE 20, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Richard W. Mullen to be collector of customs for the district of Teche, in the State of Louisiana, in place of Ethan Allen, who declines the appointment.

ANDREW JOHNSON.

WASHINGTON, *June* 15*th*, 1868.

To the Senate of the United States:

I nominate George Hubbard to be collector of customs for the district of Stonington, Connecticut, in place of Horace M. Trumbull, whose commission has expired.

ANDREW JOHNSON.

WASHINGTON, *June* 17*th*, 1868.

To the Senate of the United States:

I nominate John L. Treanor to be assessor of internal revenue for the 5th district of Kentucky, vice Edgar Needham, to be removed.

ANDREW JOHNSON.

WASHINGTON CITY, *June* 19*th*, 1868.

To the Senate of the United States:

I nominate Thomas B. Price to be collector of internal revenue for the third district of Maryland, in place of William Prescott Smith, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *June* 16*th*, 1868.

To the Senate of the United States:

I nominate Thomas S. Pettit to be assessor of internal revenue for the 2nd district of Kentucky, in place of John S. McFarland, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *June* 16*th*, 1868.

To the Senate of the United States:

I nominate William W. Moore to be deputy postmaster at the City of Washington in the District of Columbia, in place of Sayles J. Bowen, whose term of office has expired.

ANDREW JOHNSON.

WASHINGTON, D. C., *June* 19, 1868.

To the Senate of the United States:

I nominate William Savidge to be deputy postmaster at Pottstown, in the county of Montgomery and State of Penna., in place of Davis H. Missemer.

ANDREW JOHNSON.

WASHINGTON, D. C., *June* 20, 1868.

To the Senate of the United States:

I nominate James C. French, of Kansas, to be agent for the Indians in New Mexico, vice William F. M. Arny.

ANDREW JOHNSON.

WASHINGTON, D. C., *June* 20, 1868.

To the Senate of the United States:

I nominate Henry C. Myers, of Louisiana, to be receiver of public moneys for the district of lands subject to sale at Natchitoches, Louisiana, vice Hugh G. Waddell, rejected.

ANDREW JOHNSON.

WASHINGTON, D. C., *June* 20, 1868.

To the Senate of the United States:

I nominate Andrew J. Moulder, of California, to be surveyor-general of California, vice Minard H. Farley, rejected.

ANDREW JOHNSON.

WASHINGTON, D. C., *June* 20, 1868.

To the Senate of the United States:

I transmit to the Senate, for its consideration with a view to its ratification, a treaty between the United States and His Majesty the King of Bavaria, signed at Munich on the 26th ultimo, concerning the citizenship of persons emigrating from Bavaria to the United States and from the United States to the Kingdom of Bavaria. I transmit, also, a copy of the letter of the United States minister communicating the treaty, of the protocol which accompanied it, and a translation of the Bavarian military law referred to in the latter paper.

ANDREW JOHNSON.

WASHINGTON, *June* 19, 1868.

To the Senate of the United States:

I herewith transmit to the Senate, for its constitutional action thereon, a treaty concluded at Fort Sumner, New Mexico, on the 1st instant, between Lieutenant-General W. T. Sherman and Colonel Samuel F. Tappan on the part of the United States, and the chiefs and headmen of the Navajo Indians on the part of the latter. I also transmit a communication upon the subject from the Secretary of the Interior, with the accompanying papers.

ANDREW JOHNSON.

WASHINGTON, D. C., *June* 20, 1868.

The messages were read.

Ordered, That the nominations of Richard W. Mullen and George Hubbard be referred to the Committee on Commerce.

Ordered, That the nominations of Wm. W. Moore and Wm. Savidge be referred to the Committee on Post-Offices and Post-Roads.

Ordered, That the nomination of James C. French be referred to the Committee on Indian Affairs.

Ordered, That the nominations of Henry C. Myers and Andrew J. Moulder be referred to the Committee on Public Lands.

The treaty between the United States and His Majesty the King of Bavaria, concerning the citizenship of persons emigrating from Bavaria to the United States and from the United States to the Kingdom of Bavaria, signed at Munich the 26th of May, 1868, was read the first time.

On motion by Mr. Sumner,

Ordered, That the said treaty be referred to the Committee on Foreign Relations, and, with the accompanying papers, be printed in confidence for the use of the Senate.

The treaty between the United States and the Navajo Indians, concluded at Fort Sumner, New Mexico, on the 1st of June, 1867, was read the first time.

On motion by Mr. Henderson,

Ordered, That the said treaty be referred to the Committee on Indian Affairs, and, with the message and accompanying documents, printed in confidence for the use of the Senate.

Mr. Yates submitted the following motion for consideration: That the resolution advising and consenting to the appointment of John M. Corse be reconsidered.

On motion by Mr. Sherman,

Ordered, That the nomination of James R. Hubbell be recommitted to the Committee on Foreign Relations.

The Senate proceeded to consider the nominations of John Simpson, Sidney W. Taylor, Wm. P. Vanness, and Charles S. Fisher; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Ordered, That the nominations of John L. Treanor, Thomas B. Price, and Thomas S. Pettit be referred to the Committee on Finance.

TUESDAY, JUNE 23, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate William M. Evarts, of New York, to be Attorney-General of the United States, to fill the vacancy caused by the resignation of Henry Stanbery.

ANDREW JOHNSON.

WASHINGTON, D. C., *June 22d*, 1868.

To the Senate of the United States:

I nominate Edward C. Johnson, of Maryland, to be assistant secretary of the legation of the United States at London, vice Dennis R. Alward, resigned.

ANDREW JOHNSON.

WASHINGTON, *22d June*, 1868.

To the Senate of the United States:

I nominate John T. Robeson, of Tennessee, to be consul of the United States at St. Thomas, West Indies.

ANDREW JOHNSON.

WASHINGTON, D. C., *June 22*, 1868.

To the Senate of the United States:

I nominate John E. Mulford to be collector of internal revenue for the third district of Virginia.

ANDREW JOHNSON.

WASHINGTON, D. C., *June 22d*, 1868.

To the Senate of the United States:

I nominate Samuel Babcock to be collector of internal revenue for the 2nd district of Connecticut, in place of John Woodruff, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *June* 20, 1868.

To the Senate of the United States:

I nominate Commander John C. Febiger to be a captain in the Navy from the 6th of May, 1868, vice Captain A. M. Pennock, promoted; and Commander Pierce Crosby to be a captain in the Navy from the 27th of May, 1868, vice Captain John L. Worden, promoted.

ANDREW JOHNSON.

WASHINGTON CITY, 23*d June*, 1868.

To the Senate of the United States:

I nominate 2nd Assistant Engineer John J. Bissett to be a first assistant engineer in the Navy, to fill a vacancy in that grade.

ANDREW JOHNSON.

WASHINGTON CITY, 23*d June*, 1868.

To the Senate of the United States:

I nominate following persons to be third lieutenants in the Revenue Cutter Service of the United States, viz:

Joseph M. Simms, vice Calvin S. Hooper, promoted to second lieutenant.

Robert M. Clark, vice John Davison, promoted to second lieutenant.

John Owen, vice James McVay, third lieutenant, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *June* 23*d*, 1868.

To the Senate of the United States:

I nominate Edwin O. Perrin, of New York, to be chief justice of the supreme court of the Territory of Utah.

ANDREW JOHNSON.

WASHINGTON, D. C., *June* 23*d*, 1868.

The messages were read.

Ordered, That the nominations of Wm. M. Evarts and Edwin O. Perrin be referred to the Committee on the Judiciary.

Ordered, That the nominations of John T. Robeson and Joseph M. Simms be referred to the Committee on Commerce.

Ordered, That the nominations of John E. Mulford and Samuel Babcock be referred to the Committee on Finance.

Ordered, That the nomination of John C. Fabiger, Pierce Crosby, and John J. Bissett be referred to the Committee on Naval Affairs.

On motion by Mr. Sumner,

The Senate, by unanimous consent, proceeded to consider the nomination of Edward C. Johnson; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Sumner,

Ordered, That the rule of the Senate be suspended so far as to permit the foregoing nomination to be sent to the President of the United States forthwith.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 8th January last, the nomination of Benjamin C. Nixon, reported favorably thereon.

Mr. Sherman, from the Committee on Finance, to whom was referred, the 20th instant, the nomination of Thomas B. Price, reported adversely thereon.

Mr. Sherman, from the Committee on Finance, to whom was referred, the 20th inst., the nomination of Thomas S. Pettit, reported favorably thereon.

Mr. Pomeroy, from the Committee on Public Lands, to whom was referred, the 20th instant, the nomination of Andrew J. Moulder, reported adversely thereon.

Mr. Chandler, from the Committee on Commerce, to whom was referred, the 3d of March, the nomination of Thomas W. Ward, and the 12th instant that of Constant K. Hall, reported favorably thereon.

Mr. Sprague, from the Committee on Military Affairs and the Militia, to whom was referred, the 8th of April last, the nomination of Samuel D. Sturgis, submitted a special report recommending his confirmation.

Mr. Van Winkle, from the Committee on Finance, to whom were referred, the 16th December last, the communications from the Secretary of the Treasury relative to the suspension of John H. Patterson, assessor, and John H. Anderson, collector of internal revenue for the 4th district of Virginia, reported the following resolutions; which were considered by unanimous consent, and severally agreed to.

Resolved, That the Senate hereby concur in the suspension of John H. Anderson, collector of internal revenue for the 4th district of Virginia, and advise and consent to his removal from the said office.

Resolved, That the Senate hereby concur in the suspension of John H. Patterson, assessor of internal revenue for the 4th district of Virginia, and advise and consent to his removal from the said office.

The Senate proceded to consider the nomination of Samuel S. Cox.

On the question, Will the Senate advise and consent to his appointment?

It was determined in the negative.

On motion by Mr. Hendricks,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Davis, Dixon, Doolittle, Fessenden, Henderson, Hendricks, McCreery, Nye, Patterson of Tenn., and Trumbull.

Those who voted in the negative are,

Messrs. Cattell, Chandler, Conness, Corbett, Cragin, Drake, Fowler, Frelinghuysen, Harlan, Howard, Howe, McDonald, Morgan, Morrill of Me., Morrill of Vt., Pomeroy, Ramsey, Rice, Ross, Stewart, Sumner, Thayer, Tipton, Wade, Willey, Wilson, Yates.

The Senate proceeded to consider the said nominations of Edward G. Fast, Thos. V. Deary, Robert H. Patterson, Clement L. Best, jr., Frank M. Gibson, Charles M. Bailey, Wharton White, Alexander M. Wetherill, John K. Waring, Lewis Warrington, James H. Whitten, Garland N. Whistler, John M. Walton, Charles R. Hinton, Pendleton Hunter, Cecil R. Banks, Wm. Borthwick, Alfred B. Bache, Wm. C. Bayliss, Lewis A. Arnold, Wm. S. Alexander, Philip Reade, Oscar Etting, Charles H. Pettit, Jacob H. Shellabarger, Wm. L. Sherwood, Charles M. Shepherd, James McB. Stembel, J. Estcourt Sawyer, Edward Law, J. Edwin Leas, Dominick Lynch, George T. Mason, Donald McIntosh, George B. McDermott, John H. Todd, F. Beres Taylor, George Taylor, Robert S. Fletcher, Hayden De Lany, and Richard T. Jacobs, jr.; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate proceeded to consider the nominations of Edmund Pendleton, Luther M. Longshaw, Frank C. Morehead, Wm. Russell, jr., Henry Lazenby, and Albert J. Garrett; and

Resolved, That the Senate do not advise and consent to the appointment of either of the said persons.

Mr. Ross, from the Committee on Indian Affairs, to whom was recommitted, the 18th instant, the treaty between the United States and the Pottawattomie tribe of Indians, concluded February 27, 1867, reported the same with an amendment.

Whereupon

The said treaty was read the 2nd time and considered as in Committee of the Whole.

On the question to agree to the amendment reported by the Committee on Indian Affairs to Article II, to wit: Strike out the whole of said article, and insert in lieu thereof the words:

In case the new reservation shall be selected upon the lands purchased by the Government from the Creeks, Seminoles, or Choctaws, the price to be paid for said reservation shall not exceed the cost of the same to the Government of the United States, and the sum to be paid by the tribe for said reservation shall be taken from the amount which may be received for the lands, which were offered for sale to the Leavenworth, Pawnee and Western Railroad Company, under the treaty dated November 15, 1861, *which amount shall be the common property of the tribe, except the Prairie band, which shall have no interest in said reservation to be purchased as aforesaid, but in lieu thereof shall receive their pro rata share of the proceeds of the sale of said land in money as the same may be received: Provided, That if the United States shall advance the amount necessary to purchase the said reservation, the interest due upon the deferred payments for said lands sold as hereinafter provided shall, when received by the United States, be retained and credited to said tribe interested in said reservation, or so much of said interest as may be due said tribe under this treaty: And provided further, That the Leavenworth, Pawnee and Western Railroad Company, their successors and assigns, having failed to purchase said lands, the Atchison, Topeka and Santa Fé Railroad Company may, within thirty days after the promulgation of this treaty, purchase of the said Pottawattomies their said unalloted lands, except as hereinafter provided, to St. Mary's mission, at the price of one dollar per acre, lawful money of the United States, and upon filing their bond for the purchase and payment of said lands, in due form, to be approved by the Secretary of the Interior, within the time above named, the said Secretary of the Interior shall issue to the last named railroad company certificates of purchase, and such certificates of purchase shall be deemed and holden in all courts as evidence of title and possession in the said railroad company to all or any part of said lands unless the same shall be forfeited as herein provided. The said purchase money shall be paid to the Secretary of the Interior in trust for said Indians within five years from the date of such purchase, with interest at the rate of six per cent. per annum on all deferred payments, until the whole purchase money shall have been paid; and before any patents shall issue for any part of said lands, one hundred thousand dollars shall be deposited with the Secretary of the Interior, to be forfeited in case the whole of the lands are not paid for as herein provided (said money may be applied as the payment for the one hundred thousand acres of said land); payments shall also be made for at least one-fourth of said unallotted lands at the rate of one dollar per acre, and when so paid the President is authorized hereby to issue patents for the land so paid for, and then for every additional part of said*

land upon the payment of one dollar per acre. The interest on said purchase money shall be paid annually to the Secretary of the Interior for the use of said Indians. If the said company shall fail to pay the principal when the same shall become due, or to pay all or any part of the interest upon such purchase money within thirty (30) days after the time when such payment of interest shall fall due then this contract shall be deemed and held absolutely null and void, and cease to be binding upon either of the parties thereto, and said company and its assigns shall forfeit all payments of principal and interest made on such purchase, and all right and title, legal and equitable, of any kind whatsoever, in and to all and every part of said lands which shall not have been, before the date of such forfeiture, paid for as herein provided: Provided, however, That in case any of said lands have been conveyed to bona fide purchasers by said Atchison, Topeka and Santa Fé Railroad Company such purchasers shall be entitled to patents for said land so purchased by them upon the payment of one dollar and twenty-five cents per acre therefor, under such rules and regulations as may be prescribed by the Secretary of the Interior,

It was determined in the affirmative.

On the question to agree to the amendment reported by the committee, to wit: Strike out article 7 in the following words, to wit: "If, at the end of five years from the ratification of this treaty, there shall remain any of the Pottawattomies in Kansas who, having been registered as desiring to become citizens and remain in Kansas, shall not have obtained the certificate herein provided for, and perfected their citizenship, the land still held by them shall be sold, under the direction of the Commissioner of Indian Affairs, with the improvements, if any, thereon; and such person shall be required to remove to the new reservation of their tribe, and the proceeds of the sale of their land and improvements shall be used for the expense of removing such Indians to their new home, and for their benefit after their arrival thereat,"

It was determined in the affirmative.

On the question to agree to the amendment reported by the committee to article 8, to wit: Strike out the whole of said article, and insert in lieu thereof the words:

Where allottees, under the treaty of 1861, *shall have died, or shall hereafter decease, such allottees shall be regarded, for the purpose of a careful and just settlement of their estates, as citizens of the United States and of the State of Kansas, and it shall be competent for the proper courts to take charge of the settlement of their estates under all the forms and in accordance with the laws of the State as in the case of other citizens deceased; and in case where there are children of allottees left orphans, guardians for such orphans may be appointed by the probate court of the county in which such orphans may reside, and such guardians shall give bonds, to be approved by the said court, for the proper care of the person and estate of such orphans as provided by law,*

It was determined in the affirmative.

FRIDAY, JUNE 26, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Francis R. Webb, of Massachusetts, to be consul of the United States at Zanzibar, vice Edward D. Ropes, resigned.

ANDREW JOHNSON.

WASHINGTON, *June* 24, 1868.

To the Senate of the United States:

I nominate Perry Fuller, of Kansas, to be Commissioner of Internal Revenue, in place of E. A. Rollins, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *June* 24, 1868.

To the Senate of the United States:

I nominate the person herein named for appointment in the Army of the United States:

John E. Blaine, of Pennsylvania, to be militarys torekeeper in the Quartermaster's Department, June 16, 1868, vice Lucas, deceased.

ANDREW JOHNSON.

WASHINGTON, *June* 17, 1868.

To the Senate of the United States:

I nominate the officers herein named for promotion in the Army of the United States:

First Regiment of Artillery.

First Lieutenant Guy V. Henry to be captain, December 1, 1865, vice Kilpatrick, resigned.

First Lieutenant Franck E. Taylor to be captain, February 1, 1866, vice Thomas, resigned.

First Lieutenant William L. Haskin to be captain, July 28, 1866, vice Davis, appointed colonel of the Twenty-third Infantry.

Second Lieutenant John J. Driscoll to be first lieutenant, December 1, 1865, vice Henry, promoted.

Second Lieutenant William H. Chase to be first lieutenant, December 14, 1865, vice Norris, dropped.

Second Lieutenant Reuben W. Petrikin to be first lieutenant, February 1, 1866, vice Taylor, promoted.

Second Lieutenant A. Nisbet Lee to be first lieutenant, February 28, 1866, vice Porter, dropped.

Second Lieutenant Junius W. MacMurray to be first lieutenant, March 20, 1866, vice Garvin, resigned.

Second Lieutenant John W. Dillenback to be first lieutenant, May 1, 1866, vice Chase, transferred to the Corps of Engineers.

Second Lieutenant George P. Thyng to be first lieutenant, May 1, 1866, vice Petriken, transferred to the Corps of Engineers.

Second Lieutenant George Asbury to be first lieutenant, July 28, 1866, vice Haskin, promoted.

Second Lieutenant Alonzo E. Miltimore to be first lieutenant, July 28, 1866, vice Sanger, the regimental adjutant.

Second Lieutenant Richard G. Shaw to be first lieutenant, July 28, 1866, vice McCrea, appointed captain in the Forty-second Infantry.

Second Lieutenant J. Hawes to be first lieutenant, July 28, 1866, vice Egan, appointed captain in the Eleventh Infantry.

Second Lieutenant Daniel D. Wheeler to be first lieutenant, February 12, 1867, vice O'Brien, resigned.

Second Lieutenant Edmund K. Russell to be first lieutenant, February 21, 1867, vice Pike, retired.

Second Lieutenant Lowell A. Chamberlin to be first lieutenant, August 28, 1867, vice Von Michalowski, resigned.

[NOTE.—The above officers have already been confirmed by the Senate, but with dates of rank different from those now given, and their renom-

ination has been rendered necessary by the change in the date of the acceptance of the resignation of Brevet Major-General Judson Kilpatrick, captain First Artillery, from October 15, 1867, to December 1, 1865, at which date he accepted the Chilian mission.]

ANDREW JOHNSON.

WASHINGTON, *June* 12, 1868.

To the Senate of the United States:

I nominate the person herein named for appointment in the Army of the United States, he having passed the examination required by law:

Joseph Kargé, late colonel of the Second New Jersey Cavalry, to be first lieutenant in the Eighth Regiment United States Cavalry, June 12, 1867, to fill an original vacancy.

[NOTE.—This nomination was withheld by direction of the Secretary of War until certain charges against Joseph Kargé, while colonel of the 2nd New Jersey Cavalry, should be investigated. Nothing has been developed by the investigation which should operate to the longer retention of this nomination.]

ANDREW JOHNSON.

WASHINGTON, *June* 20, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment in the Army of the United States, they having passed the examination required by law:

Midshipman Samuel R. Crumbaugh, of the United States Navy, to be second lieutenant in the Second Regiment United States Infantry, June 5, 1868, vice Norton, promoted.

William C. Rawolle, late captain and additional aid-de-camp, to be second lieutenant in the Second Regiment United States Cavalry, June 6, 1868, vice Grugan, promoted.

ANDREW JOHNSON.

WASHINGTON, *June* 13, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be first lieutenant by brevet.

Second Lieutenant James C. McCoy, of the Second Regiment United States Infantry, for gallant and meritorious services in the battle of Shiloh, Tennessee, to date from March 2, 1867.

Second Lieutenant Albert W. Preston, of the Eighth Regiment United States Cavalry, for gallant and meritorious services in the battle of Gaines' Mill, Virginia, to date from September 10, 1867.

Second Lieutenant Charles Sellmer, of the Second Regiment United States Infantry, for gallant and meritorious services in the capture of Fort Gregg, to date from September 2, 1867.

Second Lieutenant Henry P. Wade, of the Fifth Regiment United States Cavalry, for gallant and meritorious services in action at Saltville, Virginia, to date from March 2, 1867.

Second Lieutenant Helenus Dodt, of the Thirty-third Regiment United States Infantry, for gallant and meritorious services in the battle of Sutherland Station, Va., to date from March 2, 1867.

Second Lieutenant Charles L. Hudson, of the Fifteenth Regiment United States Infantry, for gallant and meritorious services in the battle of Tupelo, Miss., to date from November 19, 1867.

Second Lieutenant Royal E. Whitman, of the Third Regiment United States Cavalry, for gallantry at the battle of Sabine Cross-Roads, La., to date from July 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *June* 6, 1868.

To the Senate of the United States :

I nominate the officers herein named for appointment by brevet in the Army of the United States :

To be captains by brevet.

Brevet First Lieutenant James C. McCoy, second lieutenant in the Second Regiment United States Infantry, for gallant and meritorious services in the siege of Vicksburg, Miss., to date from March 2, 1867.

First Lieutenant William Ennis, of the Fourth Regiment United States Artillery, for gallant services in the battle of Nashville, Tennessee, December 15th and 16th, 1864, to date from March 13, 1865.

Brevet First Lieutenant Albert W. Preston, second lieutenant in the Eighth Regiment United States Cavalry, for gallant and meritorious services in the battle of Malvern Hill, Virginia, to date from September 10, 1867.

Brevet First Lieutenant Charles Sellmer, second lieutenant in the Second Regiment United States Infantry, for gallant and meritorious services in the battle of Appomattox C.-H., Virginia, to date from September 2, 1867.

First Lieutenant John F. Cleghorn, of the Forty-fifth Regiment United States Infantry, for gallant and meritorious services in the capture of Vicksburg, Miss., to date from March 2, 1867.

First Lieutenant Merritt Barber, of the Thirty-fourth Regiment United States Infantry, for gallant and meritorious services in the battle of the Wilderness, Virginia, to date from March 2, 1867.

Brevet First Lieutenant Melville C. Wilkinson, second lieutenant in the Forty-second Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

First Lieutenant Junius W. MacMurray, of the First Regiment United States Artillery, for gallant and meritorious services in the siege of Corinth, Miss., to date from March 2, 1867.

First Lieutenant William W. Cooke, of the Seventh Regiment United States Cavalry, for gallant and meritorious services in the battle of Petersburg, Va., June 17, 1864, to date from March 2, 1867.

First Lieutenant John McCoy, of the Eleventh Regiment United States Infantry, for gallant and meritorious conduct in action at Morristown, Tenn., October 28, 1864, to date from March 2, 1867.

Brevet First Lieutenant Henry P. Wade, second lieutenant in the Fifth Regiment United States Cavalry, for gallant and meritorious services in action at Saltville, Virginia, to date from March 2, 1867.

First Lieutenant Thomas Wilhelm, of the Eighth Regiment United States Infantry, for gallant and meritorious services in the battle of the Wilderness, Va., to date from March 2, 1867.

Brevet First Lieutenant Charles L. Hudson, second lieutenant in the Fifteenth Regiment United States Infantry, for gallant and meritorious services in the battle of Nashville, Tenn., to date from November 19, 1867.

First Lieutenant Charles R. Paul, of the Twenty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Petersburg, Va., to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *June* 6, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be majors by brevet.

Brevet Captain James C. McCoy, second lieutenant in the Second Regiment United States Infantry, for gallant and meritorious services in the battle of Atlanta, Ga., to date from March 2, 1867.

Captain John N. Craig, of the Thirty-eighth Regiment United States Infantry, for gallant and distinguished services at the battle of Gettysburg, Pa., and for good conduct and meritorious services during the operations resulting in the fall of Richmond, Va., and the surrender of the insurgent army under General Robert E. Lee, to date from March 2, 1867.

Brevet Captain Merritt Barber, first lieutenant in the Thirty-fourth Regiment United States Infantry, for gallant and meritorious services in the battle of Cedar Creek, Va., to date from March 2, 1867.

Brevet Captain Junius W. MacMurray, first lieutenant in the First Regiment United States Artillery, for gallant and meritorious services in the siege of Vicksburg, Mississippi, to date from March 2, 1867.

Brevet Captain William W. Cooke, first lieutenant in the Seventh Regiment United States Cavalry, for gallant and meritorious services in the battle of Dinwiddie Court-House, Virg'a, March 29, 1865, to date from March 2, 1867.

Brevet Captain John McCoy, first lieutenant in the Eleventh Regiment United States Infantry, for gallant and meritorious conduct at the capture of Saltville, Virginia, December 22, 1864, to date from March 2, 1867.

Brevet Captain Henry P. Wade, second lieutenant in the Fifth Regiment United States Cavalry, for gallant and meritorious services in action at Saltville, Virginia, to date from March 2, 1867.

Brevet Captain Thomas Wilhelm, first lieutenant in the Eighth Regiment United States Infantry, for gallant and meritorious services at the battle of Cold Harbor, Va., to date from March 2, 1867.

Brevet Captain William Falck, first lieutenant in the Second Regiment United States Infantry, for gallant and meritorious services in the battle of Chancellorsville, Virginia, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *June* 6, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be lieutenant-colonel by brevet.

Brevet Major James C. McCoy, second lieutenant in the Second Regiment United States Infantry, for gallant and meritorious services in the battle of Bentonville, N. C., to date from March 2, 1867.

Brevet Major William W. Cooke, first lieutenant in the Seventh Regiment United States Cavalry, for gallant and meritorious services in the battle of Sailor's Creek, Va., April 6, 1865, to date from March 2, 1867.

Brevet Major John H. Janeway, assistant surgeon United States Army, for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet Major John Christopher, captain in the Twenty-fifth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Major William Falck, first lieutenant in the Second Regiment United States Infantry, for gallant and meritorious services in the battle of Spottsylvania Court-House, Virginia, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *June* 6, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be brigadier-generals by brevet.

Brevet Colonel Thomas Wilson, captain and commissary of subsistence United States Army, for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet Colonel John W. Barriger, captain and commissary of subsistence United States Army, for faithful and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *June* 20, 1868.

To the Senate of the United States:

I nominate the person herein named for appointment by brevet in the Volunteer force:

To be first lieutenant by brevet.

Elbridge D. Hadley, late second lieutenant of the Fourteenth New Hampshire Volunteers, for gallant and meritorious services in the battle of Winchester, Va., to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *June* 11, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be captains by brevet.

Josiah Barber, late first lieutenant of the Ninety-fifth Ohio Volunteers, for gallantry at the battle of Nashville, on the 15th and 16th of December, 1864, to date from March 13, 1865.

Brevet First Lieutenant Elbridge D. Hadley, late second lieutenant of the Fourteenth New Hampshire Volunteers, for gallant and meritorious services in the battle of Winchester, Virginia, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *June* 11, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be majors by brevet.

Brevet Captain Josiah Barber, late first lieutenant of the Ninety-fifth Ohio Volunteers, for gallant and meritorious services during the siege of Spanish Fort, near Mobile, in March and April, 1865, to date from April 9, 1865.

John Rea, late captain of the First Ohio Cavalry, for gallant and meritorious services in action at Cleveland, Tennessee, to date from March 13, 1865.

Thomson P. Ogden, late captain and assistant adjutant-general of Volunteers, for gallant and meritorious services in the Shenandoah Valley campaign in 1864, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *June* 11, 1868.

To the Senate of the United States:

I nominate the person herein named for appointment by brevet in the Volunteer force:

To be brigadier-general by brevet.

John R. Hurd, late colonel of the One hundred and seventy-third Ohio Volunteers, for gallantry at the battles of Shiloh, Stone River, and Chickamauga, and for meritorious services during the war, to date from March 13, 1865.

Francis A. Osborn, late colonel of the Twenty-fourth Massachusetts Volunteers, for distinguished services in the movement on the enemy's works near New Market, Virginia, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *June* 9, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be colonels by brevet.

Brevet Lieutenant-Colonel John McNutt, major in the Ordnance Department, for faithful service in his department during the war, to date from March 13, 1865.

Brevet Lieutenant Colonel John W. Barriger, captain and commissary of subsistence, United States Army, for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet Lieutenant-Colonel Dennis T. Kirby, captain in the Thirty ninth Regiment United States Infantry, for gallant and meritorious services in the battles of Chickamauga, Ga., Mission Ridge, Tenn., and River's Bridge, S. C., to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *June* 6, 1868.

To the Senate of the United States:

I desire the consent of the Senate to the correction of certain clerical errors which occurred in nominating for their confirmation at a previ-

ons session, as well as during the present session, the within-named officers:

Appointments in the Army.

The date of rank of Cyrus M. De Lany, confirmed February 14, 1868, to be second lieutenant in the Thirty fifth Infantry, vice Cresson, promoted, should read "October 30, 1867," instead of "October 13, 1867."

The date of rank of George T. Cook, confirmed March 26, 1867, to be second lieutenant in the Sixth Infantry, vice Murdock, promoted, should read "March 7, 1867," instead of "March 18, 1867."

Brevet appointments in the Army.

The date of rank of Thomas B. Hunt, confirmed July 19, 1867, to be major and lieutenant colonel by brevet, should read "March 2, 1867," instead of "January 18, 1867."

The date of rank of Richard I. Dodge, confirmed February 14, 1868, to be colonel by brevet, should read "March 30, 1865," instead of "March 13, 1865."

The date of rank of May H. Stacey, confirmed March 24, 1868, to be lieutenant-colonel by brevet, should read "April 9, 1865," instead of "March 13, 1865."

The date of rank of rank of Robert F. Bates, confirmed February 14, 1868, to be first lieutenant by brevet, should read "March 7, 1867," instead of "March 2, 1867."

The date of rank of James Thompson, confirmed March 24, 1868, to be lieutenant-colonel by brevet, should read "March 13, 1865," instead of "September 19, 1863."

ANDREW JOHNSON.

WASHINGTON, *June* 11, 1868.

To the Senate of the United States:

I nominate Henry A. Smythe, of New York, to be be envoy extraordinary and minister plenipotentiary to Austria, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, D. C., *June 25th*, 1868.

To the Senate of the United States:

I transmit to the Senate a copy of a dispatch addressed to the Department of State by the consul of the United States at Bangkok, Siam, dated December 31st, 1867, with a view to its consideration, and the ratification thereof, of the modification proposed by the royal counselors of the Kingdom of Siam, in Article I of the General Regulations which form a part of the treaty between the United States and that Kingdom, concluded May 29th, 1856, of which a printed copy is also herewith transmitted.

ANDREW JOHNSON.

WASHINGTON, *June* 23, 1868.

The messages were read.

Ordered, That the nomination of Francis R. Webb be referred to the Committee on Commerce.

Ordered, That the nomination of Perry Fuller be referred to the Committee on Finance.

Ordered, That the nominations of John E. Blaine, Guy V. Henry and others, John Kargé, Samuel R. Crumbaugh and William C. Rawolle, James C. McCoy and others (brevet first lieutenants), James C. McCoy and others (brevet captains), James C. McCoy and others (brevet majors), James C. McCoy and others (brevet lieutenant-colonels), Thomas Wilson and John W. Bariger, Elbridge D. Hadley, Josiah Barber and Elbridge D. Hadley, Josiah Barber and others, John R. Hurd and Francis A. Osborne, jr., John McNutt and others, and the message desiring the consent of the Senate to the correction of certain clerical errors in the nominations of certain officers, were referred to the Committee on Military Affairs and the Militia.

Ordered, That the nomination of Henry A. Smythe be referred to the Committee on Foreign Relations.

Ordered, That the message, together with the accompanying documents, relative to a modification of the treaty between the United States and the Kingdom of Siam, concluded the 29 May, 1856, be referred to the Committee on Foreign Relations.

On motion by Mr. Thayer,

Ordered, That the resolution that the Senate advise and consent to the appointment of Charles R. Hinton be reconsidered.

On motion by Mr. Thayer,

Ordered, That the resolution that the Senate advise and consent to the appointment of Wm. C. Bayliss be reconsidered.

On motion by Mr. Thayer,

Ordered, That the resolution that the Senate advise and consent to the appointment of Charles H. Pettit be reconsidered.

On motion by Mr. McCreery,

The Senate proceeded to consider the nomination of Thomas S. Pettit, and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Wilson submitted the following motion for consideration; which was read and referred to the Committee on Finance:

Ordered, That the nomination of Perry Fuller for Commissioner of Internal Revenue be returned to the President, the Senate being of opinion that the Commissioner of Internal Revenue should be an officer of unquestioned capacity, and that the nomination of the said Fuller is a nomination not fit to be made, and his confirmation would be a lasting dishonor upon the President and the Senate.

On motion by Mr. Williams,

The Senate proceeded to consider the nomination of Samuel S. Smead; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 5th of February, the nomination of Harrison Phoebus, reported favorably thereon.

Mr. Sprague, from the Committee on Commerce, to whom were referred, the 12th instant, the nomination of Edwin C. Darlington, reported favorably thereon.

Mr. Williams, from the Committee on Finance, to whom was referred, the 2nd instant, the nomination of Chambers C. Davis, reported favorably thereon.

Mr. Van Winkle, from the Committee on Finance, to whom was referred, the 23rd instant, the nomination of John E. Mulford, reported favorably thereon.

SATURDAY, JUNE 27, 1868.

On motion by Mr. Nye that the Senate do adjourn,

It was determined in the negative.

On motion by Mr. Nye,

The ayes and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Cameron, Frelinghuysen, McCreery, Nye, Trumbull, Williams, Wilson, Yates.

Those who voted in the negative are,

Messrs. Buckalew, Chandler, Conness, Davis, Drake, Ferry, Harlan, Hendricks, Howard, Howe, Johnson, McDonald, Morgan, Morrill of Me., Morton, Patterson of N. H., Pomeroy, Ramsey, Ross, Sherman, Sprague, Stewart, Sumner, Thayer, Tipton, Van Winkle, Vickers, Wade, Willey.

The President *pro tempore* presented the memorial of Sydney Clarke, of Kansas, protesting against the ratification of the treaty between the United States and the Great and Little Osage tribes of Indians; which was referred to the Committee on Indian Affairs.

Mr. Sumner, from the Committee on Foreign Relations, to whom was recommitted, the 20th instant, the nomination of James R. Hubbell, reported the same with no recommendation thereon.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 5th instant, the nomination of Martin T. McMahon, reported favorably thereon.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 28th of January last, the additional article to the treaty of navigation and commerce between the United States and the Emperor of Russia of the 18th of December, 1832, and the 20th instant the treaty between the United States and His Majesty the King of Bavaria concerning the citizenship of persons emigrating from Bavaria to the United States and from the United States to the Kingdom of Bavaria, signed at Munich, May 26, 1868, reported the same without amendments, respectively.

Mr. Sherman, from the Committee on Finance, to whom were referred, the 26th instant, the nomination of Perry Fuller and the order submitted by Mr. Wilson relative thereto, reported adversely on the said nomination, and that the said order be laid on the table.

Mr. Chandler, from the Committee on Commerce, to whom was referred, the 23d instant, the nomination of John T. Robeson, reported favorably thereon.

Mr. Frelinghuysen, from the Committee on Naval Affairs, to whom were referred, the 29th of May last, the nomination of John A. Dahlgren, and the 23d instant those of John C. Febiger, Pierce Crosby, and John J. Bissett, reported favorably thereon.

n motion by Mr. Sherman,

The Senate proceeded to consider the nomination of John E. Mulford; and,

On the question, Will the Senate advise and consent to his appointment?

It was determined in the negative.

On motion by Mr. Pomeroy,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Buckalew, Davis, Fessenden, Harlan, Hendricks, Howe, McCreery, Morgan, Ross, Sherman, Sprague, Trumbull, Van Winkle, Vickers, Willey, Williams, Yates.

Those who voted in the negative are,

Messrs. Cole, Conkling, Conness, Cragin, Drake, Edmunds, Frelinghuysen, McDonald, Morrill of Me., Morton, Patterson of N. H., Pomeroy, Stewart, Sumner, Thayer, Tipton, Wade.

So it was

Resolved, That the Senate do not advise and consent to the appointment of John E. Mulford.

MONDAY, JUNE 29, 1868.

Mr. Chandler, from the Committee on Commerce, to whom was referred, the 20th instant, the nomination of George Hubbard, reported adversely thereon.

Mr. Sherman, from the Committee on Finance, to whom was referred, the 13th instant, the nomination of George J. Anthony, reported favorably thereon.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 20th instant, the nomination of Wm. Savidge, reported favorably thereon.

Mr. Harlan, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 20th instant, the nomination of Wm. W. Moore, reported adversely thereon.

The Senate proceeded to consider the nominations of John A. Dahlgren, John C. Febiger, Pierce Crosby, John J. Bissett, John E. Gillespie, and William J. Montgomery; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Wilson, from the Committee on Military Affairs and the Militia, to whom were referred, the 7th of April last, the nominations of Geo. A. Drew and others, Joseph G. Rosengarten and others, John W. Eckles and others, to be captains by brevet; Taylor P. Rundlet and others, John W. Eccles and others, to be majors by brevet; William E. Merrill, Adolph G. Rosengarten and others, to be colonels by brevet; William G. Mitchell and others, Adolph G. Rosengarten and others, excepting George F. Morgan, to be lieutenant-colonels by brevet; Thomas B. Weir and others, Nelson B. Sweitzer, William Hanna and others, James P. McIvor, and James A. Williamson; the 8th of April last, those of James M. Nichols and others, Joseph S. Conrad; the 21st of May last, that of Gilbert S. Jennings, to be 1st lieutenant by brevet; Gilbert S. Jennings to be captain by brevet; the 2d instant, those of William H. French, jr., W. C. Bayliss and others, Thomas S. Doebler and others, excepting George S. L. Ward, Robert Chandler, William H. Wood, Joseph N. Flint and others, Frank S. Adams and others, William Rawle Brooke and others, to be majors by brevet, excepting Leander S. Callaghan; William Rawle Brooke and others, to be lieutenant-colonels by brevet; Wm. W. Dudley and others, to be colonels by brevet; and David Morrison, the 26th instant, those of Guy V. Henry and others; James C. McCoy and others to be 1st lieutenants by brevet; James C. McCoy and others to be captain by brevet; James C. McCoy and others to be majors by brevet; James C. McCoy and others to be lt. colonels by brevet; Thomas Wilson and John W. Barriger, Elbridge D. Hadley, to be 1st lieutenants by brevet; Josiah Barber and Elbridge D. Hadley

to be captains by brevet; Josiah Barber and others, John R. Hurd and Francis A. Osborn, John McNutt and others, and the message of the President of the United States requesting the consent of the Senate to the correction of certain clerical errors, reported favorably thereon.

Mr. Wilson, from the Committee on Military Affairs and the Militia, to whom were referred, the 7th of April last, the nominations of George F. Morgan, Henry A. Dupont, Wm. J. L. Nicodemus, James D. McBride, De Lancey Floyd Jones, Charles F. Ruff, Thomas Barker, Charles E. Hovey, William H. Clapp, Tredwell Moore, Gustav A. Hesselberger, to be captain by brevet; James B. Burbank to be 1st lieutenant by brevet; Gustav A. Hesselberger to be major by brevet; John C. Connor to be major by brevet; John C. Conner to be lieutenant colonel by brevet; John C. Conner to be colonel by brevet; Robert Macteely, James B. Burbank and Almyne H. G. Richardson, Charles McCormick, George S. L. Ward, to be 1st lt. by brevet; George S. L. Ward to be captain by brevet; George W. Graham to be major by brevet; George W. Graham to be lieutenant-colonel by brevet; Leander S. Callaghan and W. W. Dudley to be brigadier-generals by brevet, reported adversely thereon.

The treaty between the United States and His Majesty the King of Bavaria, concerning the citizenship of persons emigrating from Bavaria to the United States, and from the United States to the Kingdom of Bavaria, signed at Munich the 26th of May, 1868, was read the second time and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Mr. Sumner submitted the following resolution for consideration:

Resolved (*two thirds of the Senators present concurring*), That the Senate advise and consent to the ratification of the treaty between the United States and His Majesty the King of Bavaria, concerning the citizenship of persons emigrating from Bavaria to the United States, and from the United States to the Kingdom of Bavaria, signed at Munich the 26th of May, 1868.

The Senate, by unanimous consent, proceeded to consider the said resolution.

On the question to agree thereto,

It was determined in the affirmative, { Yeas 25
Nays 7

Those who voted in the affirmative are,

Messrs. Anthony, Cattell, Cole, Conkling, Conness, Corbett, Cragin, Davis, Drake, Edmunds, Fessenden, Frelinghuysen, Harlan, Hendricks, McDonald, Morgan, Nye, Pomeroy, Ross, Stewart, Sumner, Vickers, Willey, Williams, Wilson.

Those who voted in the negative are,

Messrs. Buckalew, Fowler, Howard, McCreery, Thayer, Wade, Yates.

So the resolution was agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

TUESDAY, JUNE 30, 1868.

The Senate resumed consideration, as in Committee of the Whole, of the treaty between the United States and the Pottawattomie tribe of Indians, concluded on the 27th of February, 1867.

On the question to agree to the amendment reported by the Committee on Indian Affairs to Article 10, to wit: Strike out the words "And it is further agreed that the sum of $164,584, reported by the Secretary

of the Interior on the 19th of December, 1862, in pursuance of an act of Congress approved March 2, 1861, and recommended to be paid, shall be paid to said tribe, to be expended or invested as may be directed by the business committee of the tribe for the benefit of said tribe: *Provided*, That this last provision shall be of no effect if said amount shall, within one year, be appropriated under direction by Congress without reference to this treaty," and insert in lieu thereof the words: *And it is further agreed that the claims of the Pottawattomies heretofore examined and reported on by the Secretary of the Interior under the act of Congress of March 2, 1861, shall be submitted to two commissioners, to be named by the President of the United States, for examination; and the said commissioners, after being sworn impartially to decide on said claims, shall make report of their judgment in the premises, together with the evidence taken, to the Secretary of the Interior, and the same shall be communicated to Congress at its next session: Provided, That no part of the money reported due by the said commissioners shall be paid until the same shall be appropriated by Congress,*

It was determined in the affirmative; { Yeas..... 17
Nays..... 12

On motion by Mr. Morrill, of Vermont,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Buckalew, Cragin, Harlan, Hendricks, Howe, McDonald, Morrill of Me., Nye, Pomeroy, Ramsey, Ross, Sumner, Thayer, Tipton, Trumbull, Van Winkle, Vickers.

Those who voted in the negative are,

Messrs. Cameron, Cattell, Cole, Conness, Drake, Edmunds, Frelinghuysen, Morgan, Morrill of Vt., Stewart, Wade, Williams.

So the amendment was agreed to.

On the question to agree to Article 10 as amended,

It was determined in the affirmative.

On the question to agree to the amendment reported by the Committee on Indian Affairs to Article 11, to wit:

At the end of the article insert the following words: *And the said John E. Deils, John Shoemaker, and M. Gilland shall have the right to purchase in a compact body ten hundred and thirteen $\frac{34}{100}$ acres of the unallotted lands at the price of one dollar per acre, to be paid to the Secretary of the Interior, for the use of said tribe, and when the consideration shall be paid, as aforesaid, the President shall issue patents to said purchasers therefor; and in selecting said 1,013$\frac{34}{100}$ acres said purchasers shall have the preference over all other parties,*

It was determined in the affirmative.

On the question to agree to Article 11 as amended,

It was determined in the affirmative.

On the question to agree to the amendment reported by the committee, to wit: Strike out the preamble to said treaty, as follows

"Whereas the Pottowattomies believe that it is for the interest of their tribe that a home should be secured for them in the Indian country south of Kansas while there is yet an opportunity for the selection of a suitable reservation; and whereas the tribe has the means of purchasing such reservation from funds due and to become due under provisions of previous treaties, without interfering with the exclusive rights of those of their people who hold their lands in common. Now, therefore, it is agreed"; and insert as a substitute therefor as follows:

Whereas the Pottowattomies believe that it is for the interest of their tribe that a home should be secured for them in the Indian country south of Kan

sas while there is yet an opportunity for the selection of a suitable reservation; and whereas the tribe has the means of purchasing such reservation from funds to arise from the sale of lands under the provisions of this treaty, without interfering with the exclusive rights of those of their people who hold their lands in common, to the ownership of their diminished reserve held by them in common, or with their right to receive their just proportion of the moneys arising from the sale of unallotted lands known as surplus lands: Now, therefore, it is agreed,

It was determined in the affirmative.

No further amendment being proposed, the treaty was reported to the Senate and the amendments were concurred in.

Mr. Pomeroy submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the treaty between the United States and the Pottowattomie tribe of Indians, concluded the 27th of February, 1867, with the following amendments:

Article II. Strike out all of said article, and insert in lieu thereof the following:

In case the new reservation shall be selected upon the lands purchased by the Government from the Creeks, Seminoles, or Choctaws, the price to be paid for said reservation shall not exceed the cost of the same to the Government of the United States, and the sum to be paid by the tribe for said reservation shall be taken from the amount which may be received for the lands which were offered for sale to the Leavenworth, Pawnee and Western Railroad Company under the treaty dated November 15, 1861, which amount shall be the common property of the tribe, except the Prairie band, who shall have no interest in said reservation to be purchased as aforesaid, but in lieu thereof shall receive their pro rata share of the proceeds of the sale of said land in money as the same may be received: Provided, That if the United States shall advance the amount necessary to purchase the said reservation, the interest due upon the deferred payments for said lands, sold as hereinafter provided, shall, when received by the United States, be retained and credited to said tribe interested in said reservation, or so much of said interest as may be due said tribe under this treaty: And provided further, That the Leavenworth, Pawnee and Western Railroad Company, their successors and assigns, having failed to purchase said lands, the Atchison, Topeka and Santa Fé Railroad Company may, within thirty days after the promulgation of this treaty, purchase of the said Pottowattomies their said unallotted lands, except as hereinafter provided to St. Mary's mission, at the price of one dollar per acre, lawful money of the United States, and upon filing their bond for the purchase and payment of said lands, in due form, to be approved by the Secretary of the Interior within the time above named, the said Secretary of the Interior shall issue to the last-named railroad company certificates of purchase, and such certificates of purchase shall be deemed and holden in all courts as evidence of title and possession in the said railroad company to all or any part of said lands unless the same shall be forfeited as herein provided. The said purchase money shall be paid to the Secretary of the Interior in trust for said Indians within five years from the date of such purchase, with interest at the rate of six per cent per annum on all deferred payments until the whole purchase money shall have been paid; and before any patents shall issue for any part of said lands, one hundred thousand dollars shall be deposited with the Secretary of the Interior, to be forfeited in case the whole of the lands are not paid for as herein provided (said money may be applied as the payment for the one hundred thousand acres of said land); payments shall also be made for at least one-fourth of said unallotted lands at the

rate of one dollar per acre, and when so paid the President is authorized hereby to issue patents for the land so paid for, and then for every additional part of said land upon the payment of one dollar per acre. The interest on said purchase money shall be paid annually to the Secretary of the Interior for the use of said Indians. If the said company shall fail to pay the principal when the same shall become due, or to pay all or any part of the interest upon such purchase money within thirty (30) days after the time when such payment of interest shall fall due, then this contract shall be deemed and held absolutely null and void, and cease to be binding upon either of the parties thereto, and said company and its assigns shall forfeit all payments of principal and interest made on such purchase, and all right and title, legal and equitable, of any kind whatsoever, in and to all and every part of said lands which shall not have been, before the date of such forfeiture, paid for as herein provided: Provided, however, That in case any of said lands have been conveyed to bona fide purchasers by said Atchison, Topeka and Santa Fé Railroad Company, such purchasers shall be entitled to patents for said lands so purchased by them upon the payment of one dollar and twenty-five cents per acre therefor, under such rules and regulations as may be prescribed by the Secretary of the Interior.

Article VII. Strike out all of said article.

Article VIII. Strike out all of said article and insert in lieu thereof the following words:

Where allottees under the treaty of 1861 *shall have died, or shall hereafter decease, such allottees shall be regarded, for the purpose of a careful and just settlement of their estates, as citizens of the United States and of the State of Kansas, and it shall be competent for the proper courts to take charge of the settlement of their estates under all the forms and in accordance with the laws of the State, as in the case of other citizens deceased; and in cases where there are children of allottees left orphans, guardians for such orphans may be appointed by the probate court of the county in which such orphans may reside, and such guardians shall give bonds, to be approved by the said court, for the proper care of the person and estate of such orphans, as provided by law.*

Article X. Strike out all after the word "premises" in said article and insert in lieu thereof the words:

And it is further agreed that the claims of the Pottowattomies heretofore examined and reported on by the Secretary of the Interior, under the act of Congress of March 2, 1861, *shall be submitted to two commissioners, to be named by the President of the United States, for examination, and said commissioners, after being sworn impartially to decide on said claims, shall make report of their judgment in the premises, together with the evidence taken, to the Secretary of the Interior, and the same shall be communicated to Congress at its next session: Provided, That no part of the money reported due by the said commissioners shall be paid until the same shall be appropriated by Congress.*

XI. At the end of said article add the words:

And the said John F. Deils, John Shoemaker, and M. Gilland shall have the right to purchase ten hundred and thirteen $\frac{54}{100}$ *acres of the unallotted lands at the price of one dollar per acre, to be paid to the Secretary of the Interior for the use of said tribe, and when the consideration shall be paid as aforesaid the President shall issue patents to said purchasers therefor; and in selecting said* 1,013$\frac{54}{100}$ *acres said purchasers shall have the preference over all other parties.*

Strike out the preamble to said treaty and insert as a substitute therefor the following:

Whereas the Pottowattomies believe that it is for the interest of their tribe that a home should be secured for them in the Indian country south of

Kansas while there is yet an opportunity for the selection of a suitable reservation; and whereas the tribe has the means of purchasing such reservation from funds to arise from the sale of lands under the provisions of this treaty, without interfering with the exclusive rights of those of their people who hold their lands in common to the ownership of their diminished reserve held by them in common, or with their right to receive their just proportion of the moneys arising from the sale of unallotted lands, known as surplus lands: Now, therefore it is agreed.

The Senate, by unanimous consent, proceeded to consider the said resolution.

On the question to agree thereto,

Mr. Cole submitted the following motion for consideration:

That the resolution that the Senate do not advise and consent to the appointment of John E. Multord be reconsidered.

The question recurring on agreeing to the resolution of ratification,

On motion by Mr. Hendricks that the Senate do now adjourn,

On the question to agree thereto,

It was determined in the affirmative, { Yeas 18
Nays 14

On motion by Mr. Conness,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Buckalew, Cameron, Cole, Conkling, Corbett, Cragin, Harlan, Hendricks, Morrill of Me., Nye, Pomeroy, Ross, Sumner, Thayer, Tipton, Trumbull, Van Winkle, Vickers.

Those who voted in the negative are,

Messrs. Cattell, Conness, Drake, Edmunds, Frelinghuysen, Howe, McDonald, Morgan, Morrill of Vt., Patterson of N. H., Ramsey, Stewart, Wade, Williams.

So the Senate adjourned.

WEDNESDAY, JULY 1, 1868.

Mr. Sherman, from the Committee on Finance, to whom was referred, the 6th of March last, the nomination of David M. Fleming, reported favorably thereon.

Whereupon

Resolved, That the Senate advise and consent to his appointment agreeably to the nomination.

Mr. Stewart, from the Committee on the Judiciary, to whom was referred, the 12th of June last, the nomination of Alexander E. Mayhew, reported favorably thereon.

On motion by Mr. Chandler,

The Senate proceeded to consider the nomination of Constant K. Hall; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination,

The Senate proceeded to consider the nominations of Richard T. Miller, Wm. M. Murphy, Joseph T. K. Plant, Harrison Phoebus, J. Mason Goszler, John Burke, Hiram Calkins, Benjamin C. Nixon, Thomas William Ward, Edward C. Darlington, Chambers C. Davis, John C. Robeson, and Wm. Savidge; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate proceeded to consider the nominations of Harvey Beckwith, Henry Naylor, Andrew J. Moulder, James R. Hubbell, George Hubbard, and Wm. W. Moore; and

Resolved, That the Senate do not advise and consent to the appointment of the said persons.

On motion by Mr. Hendricks,

Ordered, That the nomination of Perry Fuller be recommitted to the Committee on Finance.

MONDAY, JULY 6, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Charles J. Barbour to be assistant appraiser of merchandise for the port of Portland, in the State of Maine, in place of Leander Valentine, nominated for appraiser.

ANDREW JOHNSON.

WASHINGTON, D. C., *June* 27, 1868.

To the Senate of the United States:

I nominate Leander Valentine to be appraiser of merchandise for the port of Portland, in the State of Maine, in place of Otis Cutler, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *June* 27, 1868.

To the Senate of the United States:

I nominate Assistant Naval Constructor Thomas E. Webb to be a naval constructor in the Navy, in the place of Naval Constructor Samuel M. Pook, transferred to the retired list.

ANDREW JOHNSON.

WASHINGTON CITY, 3*d July*, 1868.

To the Senate of the United States:

I withdraw the nomination, submitted to the Senate on the 10th instant, of Charles J. Barbour to be appraiser of merchandise for the port of Portland, in the State of Maine.

ANDREW JOHNSON.

WASHINGTON, D. C., *June* 29, 1868.

The messages were read.

On motion by Mr. Fessenden,

The Senate, by unanimous consent, proceeded to consider the nominations of Leander Valentine and Charles J. Barbour; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Ordered, That the nomination of Thomas E. Webb be referred to the Committee on Naval Affairs.

Mr. Anthony submitted the following motion for consideration: That the resolution that the Senate do not advise and consent to the appointment of George Hubbard be reconsidered.

On motion by Mr. Yates,

Ordered, That he have leave to withdraw the motion submitted by him the 20th of June last that the resolution that the Senate advise and consent to the appointment of John Mr. Conrse be reconsidered.

Mr. Sumner, from the Committee on Finance, to whom was referred, the 24th of February last, the nomination of Lyndon A. Smith, reported adversely thereon.

On motion by Mr. Sherman.

The Senate proceeded to consider the motion submitted by Mr. Cole, the 30th of June last, that the resolution that the Senate do not advise and consent to the appointment of John E. Mulford be reconsidered; and, on the question to agree thereto,

It was determined in the affirmative.

Whereupon

Resolved, That the Senate advise and consent to the appointment of John E. Mulford, agreeably to the nomination.

Mr. Fowler submitted the following motion for consideration: That the resolution that the Senate advise and consent to the appointment of Richard I. Miller be reconsidered.

Mr. Harlan presented a proposed amendment to the treaty between the United States and the Great and Little Osage Indians, which was ordered to be printed.

THURSDAY, JULY 9, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Charles W. Burr to be assessor of internal revenue for the fourth district of Virginia, in place of John H. Patterson, who was suspended from office during the recess, whose case was submitted to the Senate December 16th, 1867; who, on the 15th ultimo, was convicted in the U. S. district court of malfeasance in office, and sentenced to imprisonment for two years, and to pay a fine of five thousand dollars, and in whose suspension the Senate declared concurrence on the 23d ultimo.

ANDREW JOHNSON.

WASHINGTON, D. C., *July 7th*, 1868.

To the Senate of the United States:

I nominate Louis D. Viser to be assessor of internal revenue for the third district of Mississippi, in place of Robert M. Tindall, resigned.

ANDREW JOHNSON.

WASHINGTON, *July 7th*, 1868.

To the Senate of the United States:

I nominate Tubman Ayres, of Idaho, to be register of the land office at Boise City, Idaho, vice Rutherford H. Brown, resigned.

ANDREW JOHNSON.

WASHINGTON, *July 7*, 1868.

To the Senate of the United States:

I nominate Edward W. Willett, of California, who was commissioned during the recess of the Senate, to be receiver of public moneys for the district of lands subject to sale at Sacramento, California.

ANDREW JOHNSON.

WASHINGTON, D. C., *July 7*, 1868.

To the Senate of the United States:

I nominate Lieutenant Commander Henry Erben to be a commander in the Navy, on the active list, from the 6th of May, 1868, vice Commander J. C. Febiger, promoted; and

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Lieutenant-Commander Edward P. McCrea to be a commander in the Navy, on the active list, from the 27th May, 1868, vice Commander Pierce Crosby, promoted.

ANDREW JOHNSON.

WASHINGTON CITY, *7th July*, 1868.

To the Senate of the United States:

I herewith lay before the Senate, for its constitutional action thereon, a treaty concluded at Fort Laramie, Dakota Territory, on the 7th of May, 1868, between the United States and the chiefs and headmen of the Crow Indians of Montana, and a treaty concluded at Fort Laramie, Dakota Territory, on the 10th of May, 1868, between the United States and the chiefs and headmen of the Northern Cheyenne and Northern Arapaho tribes of Indians.

A letter from the Secretary of the Interior suggesting amendments to said treaties, and the papers to which he refers in his communication, are also herewith transmitted.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 7, 1868.

To the Senate of the United States:

I herewith lay before the Senate, for its constitutional action thereon, a treaty made and concluded at Ottawa, Kansas, on the 1st day of June, 1868, between the United States and the Swan Creek and Black River Chippewas and the Munsee or Christian Indians of the State of Kansas.

Accompanying the treaty is a letter from the Secretary of the Interior, dated the 30th ultimo, together with the papers therein designated.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 7, 1868.

The messages were read.

Ordered, That the nominations of Chas. W. Burr and Louis D. Viser be referred to the Committee on Finance.

Ordered, That the nominations of Tubman Ayres and Edward W. Willett be referred to the Committee on Public Lands.

Ordered, That the nominations of Henry Erben and Edward P. McCrea be referred to the Committee on Naval Affairs.

The treaty between the United States and the Crow Indians of Montana, made May 7, 1868, was read the first time.

On motion by Mr. Henderson,

Ordered, That the said treaty be referred to the Committee on Indian Affairs and, with the accompanying papers, printed in confidence for the use of the Senate.

The treaty between the United States and the Northern Cheyenne and the Northern Arapaho Indians, made May 10, 1868, was read the first time.

On motion by Mr. Henderson,

Ordered, That the said treaty be referred to the Committee on Indian Affairs and printed in confidence for the use of the Senate.

The treaty between the United States and the Swan Creek and Black Rvier Chippewas and the Munsee, or Christian Indians, made June 1, 1868, was read the first time.

On motion by Mr. Henderson,

Ordered, That the said treaty be referred to the Committee on Indian Affairs and printed in confidence for the use of the Senate.

Mr. Sherman, from the Committee on Finance, to whom was recommitted, the 1st instant, the nomination of Perry Fuller, reported adversely thereon.

Wherenpon

Resolved, That the Senate do not advise and consent to his appointment.

Mr. Sherman, from the Committee on Finance, to whom was referred, the 4th of December last, the nomination of John C. Cox, reported favorably thereon.

Mr. Trumbull, from the Committee on the Judiciary, to whom were referred, the 28th of May last, the nomination of John S. Watts, and the 23d of June last that of Wm. M. Evarts, reported favorably thereon.

Mr. Trumbull, from the Committee on the Judiciary, to whom was referred, the 24th of February last, the nomination of Benjamin H. Smith, reported the same with the recommendation that it lie on the table.

Mr. Morrill, of Vermont, from the Committee on Finance, to whom was referred, the 12th of June last, the nomination of William Raymond Lee, reported favorably thereon.

Mr. Anthony, from the Committee on Naval Affairs, to whom was referred, the 6th instant, the nomination of Thomas E. Webb, reported favorably thereon.

Mr. Ross, from the Committee on Indian Affairs, to whom was referred, the 20th of June last, the nomination of James C. French, reported favorably thereon.

On motion by Mr. Trumbull,

The Senate proceeded to consider the nomination of B. F. Dennison; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Wilson,

The Senate proceeded to consider the nomination of James Dunn; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Vickers,

Ordered, That the nomination of Thomas B. Price be recommitted to the Committee on Finance.

SATURDAY, JULY 11, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Avery D. Bancock, of Oregon, to be agent for the Indians of the Grande Ronde Agency, in Oregon, vice Amos Harvey, whose term of office has expired.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 10, 1868.

To the Senate of the United States:

I nominate James Shelley, of Tennessee, to be agent for the Flat Head and other confederated tribes of Indians, in Montana Territory, vice John W. Wells, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 10, 1868.

To the Senate of the United States :

I nominate the officers herein named for promotion in the Army of the United States :

First Regiment of Cavalry.

Captain John Green, of the Second Cavalry, to be major, June 9, 1868, vice Brackett, promoted to the Second Cavalry.

First Lieutenant John Barry to be captain, July 1, 1868, vice Baker, resigned.

Second Lieutenant Alexander H. Stanton to be first lieutenant, June 8, 1868, vice McDonald, retired.

Second Lieutenant Alexander Grant to be first lieutenant, July 1, 1868, vice Barry, promoted.

Second Regiment of Cavalry.

Lieutenant-Colonel Innes N. Palmer to be colonel, June 9, 1868, vice Wood, retired.

Major Albert G. Brackett, of the First Cavalry, to be lieutenant-colonel, June 9, 1868, vice Palmer, promoted colonel.

First Lieutenant Oliver O. G. Robinson to be captain, June 9, 1868, vice Green, promoted to the First Cavalry.

Second Lieutenant Zachary Taylor to be first lieutenant, June 9, 1868, vice Robinson, promoted.

Second Lieutenant James G. MacAdams to be first lieutenant, June 18, 1868, vice Graham, deceased.

Third Regiment of Cavalry.

Second Lieutenant Henry M. Bragg to be first lieutenant, June 9, 1868, vice Clifford, cashiered.

Fourth Regiment of Cavalry.

First Lieutenant Wirt Davis to be captain, June 19, 1868, vice Fletcher, retired.

Fifth Regiment of Cavalry.

Second Lieutenant John P. Cummings to be first lieutenant, June 9, 1868, vice Ruggles, cashiered.

Fourth Regiment of Artillery.

Second Lieutenant Charles F. Humphrey to be first lieutenant, May 21, 1868, vice Fitzhugh, resigned.

Second Lieutenant Matthew C. Grier to be first lieutenant, July 1, 1868, vice Canby, resigned.

Second Regiment of Infantry.

Second Lieutenant Martin Norton to be first lieutenant, May 21, 1868, vice Sommer, resigned.

Eighth Regiment of Infantry.

Second Lieutenant James Humbert to be first lieutenant, June 10, 1868, vice Perkins, retired.

Eleventh Regiment of Infantry.

Second Lieutenant William V. Richards to be first lieutenant, June 19, 1868, vice Shepherd, resigned.

Twentieth Regiment of Infantry.

First Lieutenant John N. Coe to be captain, June 19, 1868, vice Cutts, resigned.

Twenty-third Regiment of Infantry.

Second Lieutenant Thomas Barker to be first lieutenant, May 21, 1868, vice Jack, resigned.

Twenty-fourth Regiment of Infantry.

Second Lieutenant Robert P. Warren to be first lieutenant, May 28, 1868, vice Nye, resigned.

Twenty-sixth Regiment of Infantry.

First Lieutenant Satterlee C. Plummer to be captain, June 10, 1868, vice Montgomery, deceased.

Thirty-third Regiment of Infantry.

First Lieutenant Orson C. Knapp to be captain, August 24, 1867, vice Occleston, deceased.

Second Lieutenant John C. Scantling to be first lieutenant, July 1, 1868, vice Kendall, resigned.

Thirty sixth Regiment of Infantry.

Second Lieutenant James A. Hanghey to be first lieutenant, May 21, 1868, vice Gill, resigned.

Thirty-ninth Regiment of Infantry.

First Lieutenant Birney B. Keeler to be captain, June 5, 1868, vice Reeves, retired.

Second Lieutenant Emmet Crawford to be first lieutenant, June 5, 1868, vice Keeler, promoted.

ANDREW JOHNSON.

WASHINGTON, *July* 2, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be first lieutenants by brevet.

Second Lieutenant William Russell, jr., of the Fourth Regiment United States Cavalry, for gallant and meritorious services in the battle of Antietam, Maryland, to date from October 25, 1867.

Second Lieutenant Martin P. Buffum, of the Fifteenth Regiment United States Infantry, for gallant and meritorious services in the as-

sault after the explosion of the mine in front of Petersburg, Virginia, to date from March 2, 1867.

Second Lieutenant Phineas P. Barnard, of the Fourth Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 7, 1867.

Second Lieutenant Michael L. Courtney, of the Thirty-ninth Regiment United States Infantry, for gallant and meritorious services in action at Pulaski, Ga., to date from March 2, 1867.

Second Lieutenant Ebenezer W Stone, of the Twenty first Regiment United States Infantry, for gallant and meritorious services in the battle of Williamsburg, Va., to date from March 2, 1867.

Second Lieutenant Charles W. Hobbs, of the Third Regiment United States Artillery, for gallant and meritorious services in the battle at Spottsylvania, Virginia, to date from September 21, 1867.

Second Lieutenant Robert W. Webb, of the Forty-first Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 7, 1867.

Second Lieutenant James H. Rice, of the Forty-fourth Regiment United States Infantry, for gallantry in action in front of Richmond, Virginia, June 25, 1862, to date from March 2, 1867.

Second Lieutenant M. Frank Gallagher, of the Sixteenth Regiment United States Infantry, for distinguished gallantry and good services during the war, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *June* 23, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be captains by brevet.

Brevet First Lieutenant William Russell, jr., second lieutenant in the Fourth Regiment United States Cavalry, for gallant and meritorious services in the battle of Gettysburg, Pennsylvania, to date from October 25, 1867.

Brevet First Lieutenant Selden A. Day, second lieutenant in the Fifth Regiment United States Artillery, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet First Lieutenant Martin P. Buffum, second lieutenant in the Fifteenth Regiment United States Infantry, for gallant and meritorious services in the assault after the explosion of the mine in front of Petersburg, Va., to date from March 2, 1867.

Brevet First Lieutenant Phineas P. Barnard, second lieutenant in the Fourth Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 7, 1867.

First Lieutenant Tullius C. Tupper, of the Sixth Regiment United States Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

First Lieutenant John L. Viven, of the Twelfth Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 2, 1867.

Brevet First Lieutenant Michael L. Courtney, second lieutenant in the Thirty-ninth Regiment United States Infantry, for gallant and meritorious services in action at Pulaski, Ga., to date from March 2, 1867.

First Lieutenant Manuel Eyre, jr., of the Fourteenth Regiment United States Infantry, for gallant and meritorious services in the battle of Cool Arbor, Virginia, to date from March 2, 1867.

Brevet First Lieutenant Ebenezer W. Stone, second lieutenant in the Twenty-first Regiment United States Infantry, for gallant and meritorious services in the battle of Williamsburg, Virginia, to date from March 2, 1867.

Brevet First Lieutenant Charles W. Hobbs, second lieutenant in the Third Regiment United States Artillery, for gallant and meritorious services in the battle of Cold Harbor, Virginia, to date from September 21, 1867.

First Lieutenant James W. Reilly, of the Ordnance Department, for faithful and meritorious services in the campaign of November and December, 1864, including the battles of Franklin and Nashville, to date from March 13, 1865.

Brevet First Lieutenant E. Van Arsdale Andruss, second lieutenant in the First Regiment United States Artillery, for gallant and meritorious services in the campaign ending with the surrender of the rebel army of Northern Virginia, to date from April 9, 1865.

Brevet First Lieutenant M. Frank Gallagher, second lieutenant in the Sixteenth Regiment United States Infantry, for distinguished gallantry and good services during the war, to date from March 2, 1867.

First Lieutenant Thomas W. Custer, of the Seventh Regiment United States Cavalry, for gallant and distinguished conduct in the engagement with the enemy at Waynesboro', Virginia, March 2, 1865, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *June* 23, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be majors by brevet.

Captain George Q. White, of the Forty-fourth Regiment United States Infantry, for meritorious services during the rebellion, to date from July 2, 1867.

Brevet Captain William Russell, jr., second lieutenant in the Fourth Regiment United States Cavalry, for gallant and meritorious services in the battle of Petersburg, Virginia, to date from October 25, 1867.

Brevet Captain Martin P. Buffum, second lieutenant in the Fifteenth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Captain Christopher H. McNally, United States Army, for meritorious services during the war, to date from March 13, 1865.

Brevet Captain Allan H. Jackson, second lieutenant in the Seventh Regiment United States Infantry, for gallant and meritorious services in the battle of Chattanooga, Tennessee, to date from March 2, 1867.

Brevet Captain Tullius C. Tupper, first lieutenant in the Sixth Regiment United States Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Captain Michael L. Courtney, second lieutenant in the Thirty-ninth Regiment United States Infantry, for gallant and meritorious services in the battle of Nashville, Tenn., to date from March 2, 1867.

Brevet Captain Manuel Eyre, jr., first lieutenant in the Fourteenth Regiment United States Infantry, for gallant and meritorious services in front of Petersburg, Va., June 18, 1864, to date from March 2, 1867.

Brevet Captain Ebenezer W. Stone, second lieutenant in the Twenty-first Regiment United States Infantry, for gallant and meritorious services in the battle of Chancellorsville, Virginia, to date from March 2, 1867.

Brevet Captain Joseph P. Sanger, first lieutenant in the first lieutenant in the First Regiment United States Artillery, for gallant and meritorious services at the battle of Fussell's Mills, Va., August 16, 1864, to date from March 13, 1865.

Brevet Captain Thomas W. Custer, first lieutenant in the Seventh Regiment United States Cavalry, for distinguished conduct at the engagement with the enemy near Namozine Church, Virginia, April 3, 1865, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON *June* 23, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be lieutenant-colonel by brevet.

Brevet Major Garrick Mallery, captain in the Forty-third Regiment United States Infantry, for gallant and meritorious services in the battle of Peach Orchard, Virginia, to date from March 2, 1867.

Brevet Major Manuel Eyre, jr., first lieutenant in the Fourteenth Regiment United States Infantry, for gallant and meritorious services in the battle of Hatcher's Run, Va., to date from March 2, 1867.

Brevet Major Ebenezer W. Stone, second lieutenant in the Twenty-first Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 2, 1867.

Brevet Major Thomas W. Custer, first lieutenant in the Seventh Regiment United States Cavalry, for distinguished courage and services at the battle of Sailor's Creek, Va., to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *June* 23, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be colonels by brevet.

Brevet Lieutenant-Colonel Bernard J. D. Irwin, surgeon United States Army, for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet Lieutenant-Colonel Manuel Eyre, jr., first lieutenant in the Fourteenth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Lieutenant-Colonel Lewis Merrill, captain in the Second Regiment United States Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

Lieutenant-Colonel Jedediah H. Baxter, assistant medical purveyor United States Army, for faithful and meritorious services during the war, to date from July 20, 1867.

ANDREW JOHNSON.

WASHINGTON, *June* 23, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be brigadier-general by brevet.

Brevet Colonel Theophilus T. Rodenbough, major of the Forty-second Regiment United States Infantry, for gallant and meritorious services in the battle of Cold Harbor, Virginia, to date from March 13, 1865.

Brevet Colonel Joseph B. Kiddoo, lieutenant-colonel of the Forty-third Regiment United States Infantry, for gallant and meritorious services in the action near Fair Oaks, Virginia, October 27, 1864, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *July* 2, 1868.

To the Senate of the United States:

I nominate the person herein named for appointment by brevet in the Volunteer force:

To be first lieutenant by brevet.

Isaac H. Folger, late second lieutenant of the Twenty-fourth Massachusetts Volunteers, for gallant and meritorious services in action near Coal Harbor, Virginia, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *June* 27, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be majors by brevet.

Joseph W. Yocum, late captain of the One hundred and sixteenth Pennsylvania Volunteers, for gallant and meritorious services in action at Williams' Farm, Virginia, to date from March 13, 1865.

Benjamin R. Jennie, late captain of the Fifth Vermont Volunteers; for gallant and meritorious services in the battle of Savage's Station, Virginia, to date from March 13, 1865.

Amos L. Bixby, late captain of the First Rhode Island Cavalry, for gallant and meritorious services in action near Middleburg, Virginia, to date from March 13, 1865.

Frank Reeder, late captain of the Nineteenth Pennsylvania Cavalry, for gallant and meritorious services in the battles of Nashville, Tennessee, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *June* 27, 1868.

To the Senate of the United States:

I nominate the person herein named for appointment by brevet in the Volunteer force:

To be lieutenant-colonel by brevet.

Brevet Major Frank Reeder, late captain of the Nineteenth Pennsylvania Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *July* 2, 1868.

To the Senate of the United States:

I nominate the person herein named for appointment by brevet in the Volunteer force:

To be colonel by brevet.

Jeremiah B. Cook, late lieutenant-colonel of the Third Regiment United States Colored Cavalry, for gallant and meritorious services in action at Woodville, Miss., to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *July* 2, 1868.

To the Senate of the United States:

I nominate the person herein named for appointment by brevet in the Volunteer force:

To be brigadier-general by brevet.

Edward H. Wolfe, late colonel of the Fifty-second Indiana Volunteers, for conspicuous gallantry and efficient services during the battles of the 15th and 16th of December, 1864, before Nashville, Tennessee, to date from March 13, 1865

ANDREW JOHNSON.

WASHINGTON, *June* 27, 1868.

To the Senate of the United States:

I nominate the person herein named for appointment by brevet in the Volunteer force:

To be major-general by brevet.

Brevet Brigadier-General J. Burnham Kinsman, late lieutenant-colonel and additional aide-de-camp, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *June* 27, 1868.

To the Senate of the United States:

I transmit to the Senate, for consideration with a view to ratification, a convention between the United States and the Mexican Republic, signed in this city by the plenipotentiaries of the parties on the 4th instant, providing for an adjustment of claims of citizens of the United States on the Mexican Government, and of Mexican citizens on the Government of the United States.

ANDREW JOHNSON.

WASHINGTON, *July* 10, 1868.

To the Senate of the United States:

I transmit to the Senate, for consideration with a view to ratification, additional articles to the treaty between the United States and His Majesty, the Emperor of China, of the 18th June, 1858, signed in this city on the 4th instant by the plenipotentiaries of the parties.

ANDREW JOHNSON.

WASHINGTON, *July* 9, 1868.

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The messages were read.

Ordered, That the nominations of Avery D. Bancock and James Shelley be referred to the Committee on Indian Affairs.

Ordered, That the messages received this day communicating nominations for military appointment and promotion be severally referred to the Committee on Military Affairs and the Militia and printed in confidence for the use of the Senate.

The treaty between the United States and the Mexican Republic, done at Washington the 4th day of July, 1868, was read the first time.

On motion by Mr. Sumner,

Ordered, That the said treaty be referred to the Committee on Foreign Relations and, together with the message, printed in confidence for the use of the Senate.

The additional articles to the treaty between the United States and the Empire of China, of the 18th of June, 1858, done at Washington, D. C., the fourth day of July, 1868, was read the first time.

On motion by Mr. Sumner,

Ordered, That the said articles be referred to the Committee on Foreign Relations and, with the message, printed in confidence for the use of the Senate.

Mr. Pomeroy, from the Committee on Public Lands, to whom was referred, the 9th instant, the nomination of Edw'd W. Willett, reported favorably thereon.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Cragin, from the Committee on Naval Affairs, to whom were referred, the 9th instant, the nominations of Henry Erben and Edward P. McCrea, reported favorably thereon.

Mr. Trumbull, from the Committee on the Judiciary, to whom was referred, the 4th February last, the nomination of Philip Lindsley, reported adversely thereon.

Mr. Sherman, from the Committee on Finance, to whom was referred, the 8th April last, the nomination of R. H. Cochran, reported adversely thereon.

Mr. Chandler, from the Committee on Commerce, to whom was recommitted, the 28th May last, the nomination of Francis Price, reported adversely thereon.

Mr. Morrill, of Vermont, from the Committee on Finance, to whom was referred, the 23d June last, the nomination of Samuel Babcock, reported adversely thereon.

Mr. Henderson, from the Committee on Indian Affairs, to whom was referred, the 15th December, 1863, the articles of agreement concluded at the city of Washington the 6th April, 1863, between the United States and the Comanche, Kiowa, and Apache tribes of Indians, reported the same without amendment.

Mr. Henderson, from the Committee on Indian Affairs, to whom were referred, the 16th January last, the following specified treaties, reported the same respectively, without amendment, to wit:

Between the United States and the Cheyenne and Arapahoe tribes of Indians, concluded October 28, 1867.

Between the United States and the Kiowa, Comanche, and Apache tribes of Indians, concluded October 21, 1867.

Between the United States and the Kiowa and Comanche tribes of Indians, concluded October 21, 1867.

Mr. Henderson, from the Committee on Indian Affairs, to whom was referred, the 1st February, 1867, the treaty of amity and friendship between the United States and the Uintah and Yampa, or Grand River, bands of Utah Indians, reported the same without amendment.

Mr. Henderson, from the Committee on Indian Affairs, to whom was referred, the 20 March last, the treaty between the United States and the Tabequache and other tribes of Indians, made the 2d March, 1868, reported the same without amendment.

Mr. Henderson, from the Committee on Indian Affairs, to whom was referred, the 20th June last, the treaty between the United States and the Navajo Indians, concluded the 1st June, 1868, reported the same without amendment.

Mr. Henderson, from the Committee on Indian Affairs, to whom were referred, the 9th instant, the following specified treaties, reported the same severally without amendment, to wit:

Between the United States and the Crow Indians, of Montana, made the 7th May, 1868; and

Between the United States and the Northern Cheyenne and Northern Arapahoe Indians, made the 10th May, 1868.

On motion by Mr. Cameron,

The Senate proceeded to consider the nominations of George Gibson, jr.; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

The Senate proceeded to consider the nominations of George J. Anthony, Alexander E. Mayhew, John C. Cox, and John S. Watts; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate proceeded to consider the nominations of Lyndon A. Smito and J. O. P. Burnside; and

Resolved, That the Senate do not advise and consent to the appointment of the said persons.

Mr. Thayer submitted the following motion for consideration: That the resolution advising and consenting to the appointment of George J. Anthony be reconsidered.

Mr. Morton submitted the following motion for consideration; which was considered, by unanimous consent, and agreed to: That the resolution that the Senate do not advise and consent to the appointment of Lyndon A. Smith be reconsidered.

The question recurring, Will the Senate advise and consent to the appointment of Lyndon A. Smith?

On motion by Mr. Morton,

Ordered, That said nomination lie on the table.

The Senate proceeded to consider the nomination of Wm. M. Evarts.

After debate,

On motion by Mr. Cameron that the Senate adjourn,

It was determined in the negative, { Yeas..... 16
Nays 20

On motion by Mr. Conkling.

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Cattell, Chandler, Harlan, McCreery, Patterson of Tenn., Ramsey, Sumner, Tipton, Wade, Yates.

Those who voted in the negative are,

Messrs. Anthony, Buckalew, Cole, Conkling, Cragin, Davis, Drake, Edmunds, Ferry, Fowler, Henderson, Hendricks, Howe, McDonald,

Morgan, Morrill of Vt., Morton, Nye, Osborn, Ross, Stewart, Trumbull, Van Winkle, Vickers, Willey, Williams.

So the Senate refused to adjourn.

After further debate,

On motion by Mr. Ramsey,

The Senate adjourned.

MONDAY, JULY 13, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary.

To the Senate of the United States:

I nominate E. R. Springman, of Pennsylvania, to be consul of the United States at Tumbez, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, 13*th June*, 1868.

To the Senate of the United States:

I nominate Felix M. De Nemegyer, of New Jersey, to be consul of the United States at Tobasco, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, 13*th July*, 1868.

To the Senate of the United States:

I nominate Charles E. Ramus, of Kansas, to be consul of the United States at Honolulu, vice Morgan L. Smith, resigned.

ANDREW JOHNSON.

WASHINGTON, 13*th July*, 1868.

To the Senate of the United States:

I nominate Henry L. Warren, to be chief justice of the supreme court of Montana Territory, in the place of H. L. Hosmer, whose term of office has expired.

ANDREW JOHNSON.

WASHINGTON, 13 *July*, 1868.

To the Senate of the United States:

I nominate Lorenzo P. Williston to be associate justice of the supreme court of Montana Territory, his term of office having expired.

ANDREW JOHNSON.

WASHINGTON, D. C., 13 *July*, 1868.

To the Senate of the United States:

I nominate Benjamin F. Brundage, of California, to be register of the land office at Visalia, California, vice Henry W. Briggs, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 13, 1868.

To the Senate of the United States:

I nominate James H. Wilbur, of Oregon, whose term of office has expired, to be agent for the Yokama Indians in Washington Territory.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 13, 1868.

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To the Senate of the United States:

I nominate Lafayette Head, of New Mexico, whose term of office has expired, to be agent for the Indians in the Territory of New Mexico as authorized by the act approved June 25, 1860.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 13, 1868.

To the Senate of the United States:

I nominate Selden Conner to be assessor of internal revenue for the 3d district of Maine, in place of George W. Wilcox, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 13, 1868.

To the Senate of the United States:

I nominate Adam Rise to be assessor of internal revenue for the 10th district of Pennsylvania, to fill a vacancy existing since the close of the second session of the Thirty-ninth Congress.

ANDREW JOHNSON.

WASHINGTON, D. C., *July 13th*, 1868.

To the Senate of the United States:

I nominate Silas H. Axtell to be assessor of internal revenue for the 3d district of California, in place of N. M. Orr, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 13, 1868.

To the Senate of the United States:

I nominate Edwin S. McCook to be collector of internal revenue for the 8th district of Illinois, vice David Y. Little, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 13, 1868.

To the Senate of the United States:

I nominate the following-named graduates of the Military Academy for appointment in the Army of the United States, to rank from June 15, 1868:

Corps of Engineers.

Cadet Albert H. Payson to be second lieutenant, vice Mallery, promoted.

Cadet John G. D. Knight to be second lieutenant, vice Sears, promoted.

Cadet Richard L. Hoxie to be second lieutenant, vice Turtle, promoted.

To be brevet second lieutenants.

Cadet Edgar W. Bass.
Cadet James B. Mackall.
Cadet Richard H. Savage.
Cadet William L. Marshall.
Cadet Joseph H. Willard.

ORDNANCE DEPARTMENT.

Cadet Henry Metcalfe to be second lieutenant, vice Poland, promoted.

First Regiment of Cavalry.

Cadet William T. Ditch to be second lieutenant, vice Rousseau, resigned.

Cadet Charles F. Roe to be second lieutenant, vice Stanton, promoted.

Cadet Delancy A. Kane to be second lieutenant, vice Grant, promoted.

Second Regiment of Cavalry.

Cadet Christopher T. Hall to be second lieutenant, vice Neff, promoted.

Cadet William P. Clark to be second lieutenant, vice Steele, resigned.

Cadet Samuel M. Swigert to be second lieutenant, vice Arthur, resigned.

Cadet Joshua L. Fowler to be second lieutenant, vice Taylor, promoted.

Cadet James E. Batchelder to be second lieutenant, vice MacAdams, promoted.

Third Regiment of Cavalry.

Cadet George W. Pyle to be second lieutenant, vice Bragg, promoted.

Fourth Regiment of Cavalry.

Cadet James H. Jones to be second lieutenant, vice Bayliss, promoted.

Cadet Frank L. Shoemaker to be second lieutenant, vice ———, the regimental adjutant.

Fifth Regiment of Cavalry.

Cadet William J. Volkmar to be second lieutenant, vice Porter, deceased.

Cadet William C. Forbush to be second lieutenant, vice Webster, promoted.

Sixth Regiment of Cavalry.

Cadet Frank W. Russell to be second lieutenant, vice Walter, promoted.

Cadet Sumner H. Bodfish to be second lieutenant, vice ———, the regimental adjutant.

Seventh Regiment of Cavalry.

Cadet Thomas J. March to be second lieutenant, vice Godfrey, promoted.

Eighth Regiment of Cavalry.

Cadet Harrison S. Weeks to be second lieutenant, vice Rothermel, deceased.

Cadet William H. Coombs to be second lieutenant, vice Haden, resigned.

First Regiment of Artillery.

Cadet Robert Fletcher to be second lieutenant, to fill an original vacancy.

Cadet James C. Morrison, jr., to be second lieutenant, to fill an original vacancy.

Cadet George W. Deshler to be second lieutenant, to fill an original vacancy.

Second Regiment of Artillery.

Cadet Clarence O. Howard to be second lieutenant, to fill an original vacancy.

Cadet Eugene O. Fechét to be second lieutenant, to fill an original vacancy.

Third Regiment of Artillery.

Cadet Frank Heath to be second lieutenant, to fill an original vacancy.

Cadet Paul Dahlgren to be second lieutenant, to fill an original vacancy.

Cadet Charles W. Whipple to be second lieutenant, to fill an original vacancy.

Fourth Regiment of Artillery.

Cadet William J. Hamilton to be second lieutenant, to fill an original vacancy.

Cadet John J. Casey to be second lieutenant, to fill an original vacancy.

Cadet William Everett to be second lieutenant, to fill an original vacancy.

Fifth Regiment of Artillery.

Cadet David D. Johnson to be second lieutenant, vice Grier, transferred to the Fourth Artillery.

Cadet Charles R. Barnett to be second lieutenant, vice Upham, transferred to the Fourth Artillery.

Cadet David S. Denison to be second lieutenant, vice Hills, transferred to the Third Artillery.

Cadet Alexander L. Morton to be second lieutenant, vice Pike, transferred to the Third Artillery.

First Regiment of Infantry.

Cadet John D. C. Hoskins to be second lieutenant, vice Smith, promoted.

Third Regiment of Infantry.

Cadet Chancellor Martin to be second lieutenant, vice Wallace, promoted.

Fifth Regiment of Infantry.

Cadet James W. Pope to be second lieutenant, vice Bierce, declined.

Sixth Regiment of Infantry.

Cadet Richard E. Thompson to be second lieutenant, vice Thibant, promoted.

Cadet Thomas M. Willey to be second lieutenant, vice Walbridge, resigned.

Tenth Regiment of Infantry.

Cadet George M. Harris to be second lieutenant, vice Hopwood, wholly retired.

Nineteenth Regiment of Infantry.

Cadet William P. Hall to be second lieutenant, vice Thompson, resigned.

Twentieth Regiment of Infantry.

Cadet John B. Rodman to be second lieutenant, vice Robinett, promoted.

Twenty-first Regiment of Infantry.

Cadet Loyall Farragut to be second lieutenant, vice Riley, promoted.

Twenty-fifth Regiment of Infantry.

Cadet Patrick T. Brodrick to be second lieutenant, vice O'Brien, promoted.

Twenty-sixth Regiment of Infantry.

Cadet John Pope, jr., to be second lieutenant, vice Dickinson, appointed first lieutenant.

Forty-third Regiment of Infantry.

Cadet Patrick Fitzpatrick to be second lieutenant, vice Garretty, promoted.

ANDREW JOHNSON.

WASHINGTON, *July* 2, 1868.

The messages were read.

On motion by Mr. Fessenden,

The Senate, by unanimous consent, proceeded to consider the nomination of Selden Connor; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Sherman,

The Senate, by unanimous consent, proceeded to consider the nomination of Edwin S. McCook; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Ordered, That the nominations of E. R. Sprigman, Felix M. de Nemegyei, and Charles E. Ramus be referred to the Committee on Commerce.

Ordered, That the nominations of Henry L. Warren and Lorenzo P. Williston be referred to the Committee on the Judiciary.

Ordered, That the nomination of Benjamin F. Brundage be referred to the Committee on Public Lands.

Ordered, That the nominations of James H. Wilbur and Lafayette Head be referred to the Committee on Indian Affairs.

Ordered, That the nominations of Adam Rise and Silas H. Axtell be referred to the Committee on Finance.

Ordered, That the nomination of Albert H. Payson and others be referred to the Committee on Military Affairs and the Militia.

The consular convention between the United States of America and the Republic of Mexico, done at Washington, D. C., the tenth day of July, 1868, was read the first time.

On motion by Mr. Sumner,

Ordered, That the said treaty be referred to the Committee on Foreign Relations and, together with the message, printed in confidence for the use of the Senate.

The treaty between the United States and the Republic of Mexico, concerning the citizenship of persons emigrating from Mexico to the United States and from the United States to the Republic of Mexico, was read the first time.

On motion by Mr. Sumner,

Ordered, That the said treaty be referred to the Committee on Foreign Relations and, with the message, printed in confidence for the use of the Senate.

Mr. Ross, from the Committee on Indian Affairs, to whom was referred, the 13th of June last, the treaty between the United States and the Great and Little Osage tribe of Indians, concluded the 27th day of May, 1868, reported the same with amendments.

Ordered, That the treaty, with the proposed amendments, be printed in confidence for the use of the Senate.

TUESDAY, JULY 14, 1868.

Mr. Wilson, from the Committee on Military Affairs and the Militia, to whom were referred, the 9th of December, the nomination of Florence O'Donnoghue and James Kelly, the 7th of April the nominations of Richard Summers, Edmund T. Ryan, A. D. Bache Smead, William L. Clarke, James C. Edgar, John L. Spaulding, and Henry W. Lawton, the 21st of May the nomination of Ray T. Gordon, the 2nd of June the nominations of Frank N. Robinson and Wm. J. Ross, the 9th of June the nomination of Z. Ragan, the 26th of June the nomination of John E. Blaine, and the 27th of June the nominations of Joseph Kargé, Samuel R. Crumbaugh, and Wm. C. Rawolle, reported favorably thereon.

Mr. Chandler, from the Committee on Commerce, to whom were referred, the 13th instant, the nominations of E. R. Sprigman and Felix M. de Nemegyei, reported favorably thereon.

Mr. Chandler, from the Committee on Commerce, to whom was referred, the 13th instant, the nomination of Charles E. Ramus, reported adversely thereon.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 27th of June, the message of the President relative to a modification of the treaty between the United States and Siam, reported the following resolution:

Resolved (two thirds of the Senators present concurring), That the Senate advise and consent to the modification of the treaty between the United States and Siam, proposed by the Government of that country, and referred to in the dispatch of the consul of the United States at Bankok which accompanied the message of the President of the United States of the twenty-third of June, eighteen hundred and sixty-eight.

The Senate proceeded to consider the motion, submitted by Mr. Anthony the 6th instant, to reconsider the resolution rejecting the nomination of George Hubbard; and

The motion was agreed to.

The question recurring, Will the Senate advise and consent to the appointment of George Hubbard?

It was determined in the affirmative.

So it was

Resolved, That the Senate advise and consent to the appointment of George Hubbard, agreeably to the nomination.

The Senate resumed the consideration of the nomination of Wm. M. Evarts; and,

Pending debate thereon,

The hour fixed by the order of the Senate in its legislative session for a recess having arrived, the Senate took a recess.

WEDNESDAY, JULY 15, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate S. R. Merrill to be deputy postmaster at Lake City, in the county of Wabashaw and State of Minnesota, the office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 14, 1868.

To the Senate of the United States:

I nominate William C. Duncan to be deputy postmaster at Sumter, in the county of Sumter and State of South Carolina, the office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 14, 1868.

To the Senate of the United States:

I nominate Albert L. Koones to be deputy postmaster at Meridian, in the county of Lauderdale and State of Miss., in place of Joshua R. Smith, removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 14, 1868.

To the Senate of the United States:

I nominate Stephen H. Mott to be deputy postmaster at Los Angeles, in the county of Los Angeles, and State of California, in place of George J. Clarke.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 14, 1868.

To the Senate of the United States:

I nominate Anthony F. Campbell to be deputy postmaster at Brooklyn, in the county of Kings and State of New York, in place of S. P. Roberts, removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 14, 1868.

To the Senate of the United States:

I nominate H. N. Barber to be deputy postmaster at St. Albans, in the county of Franklin and State of Vermont, his commission having expired

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 14, 1868.

To the Senate of the United States:

I nominate William Ohler to be deputy postmaster at Indianola, in the county of Calhoun and State of Texas, in place of Charles H. Thiemann, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 14, 1868.

To the Senate of the United States:

I nominate Geo. W. Summers to be deputy postmaster at Augusta, in the county of Richmond and State of Georgia, in place of Foster Blodgett, removed; indicted for perjury.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 14, 1868.

To the Senate of the United States:

I nominate Cornelius A. Field to be deputy postmaster at Hanover, in the county of Grafton and State of New Hampshire; expiration of term; reappointment.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 14, 1868.

To the Senate of the United States:

I nominate F. W. Webster to be deputy postmaster at Tallahassee, in the county of Leon and State of Florida, in place of Louisa Cameron, disqualified by recent marriage.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 14, 1868.

To the Senate of the United States:

I nominate A. R. Wallace to be deputy postmaster at Mattoon, in the county of Coles and State of Illinois, in place of Charles W. Houghton, removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 14, 1868.

To the Senate of the United States:

I nominate Eliphalet Wright to be deputy postmaster at Lee, in the county of Berkshire and State of Massachusetts, at expiration of commission.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 14, 1867.

To the Senate of the United States:

I nominate George C. Hervey to be deputy postmaster at Medford, in the county of Middlesex and State of Massachusetts, in place of George Hervey, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 14, 1868.

To the Senate of the United States:

I nominate Samuel Kingman to be deputy postmaster at Wakefield (late South Reading), in the county of Middlesex and State of Massachusetts, the name of the office having been changed.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 14, 1868.

To the Senate of the United States:

I nominate C. B. Prescott to be deputy postmaster at Holyoke, in the the county of Hampden and State of Massachusetts, his commission having expired.

ANDREW JOHNSON.

WASHINGTON D. C., *July* 14, 1868.

To the Senate of the United States:

I nominate Andrew S. Hunter to be deputy postmaster at Chicopee, in the county of Hampden and State of Massachusetts, in place of J. C. Havens, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 14, 1868.

To the Senate of the United States:

I nominate Marks B. Scull to be assessor of internal revenue for the 8th district of Pennsylvania, in place of Geo. W. Alexander, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 14, 1868.

To the Senate of the United States:

I nominate Thomas J. Bowers to be chief justice of the supreme court of the Territory of Idaho, in place of J. R. McBride, resigned.

ANDREW JOHNSON.

EXECUTIVE MANSION, *July* 15*th*, 1868.

To the Senate of the United States:

I nominate William M. Stafford to be associate justice of the supreme court of Montana Territory, in the place of L. E. Munson, removed.

ANDREW JOHNSON.

EXECUTIVE MANSION, *July* 15, 1868.

To the Senate of the United States:

I nominate Hiram Knowles to be associate justice of the supreme court of the Territory of Montana, in place of Lorenzo P. Williston, whose term of office has expired, and whose name, submitted to the Senate for reappointment on the 13th instant, is hereby withdrawn.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 15*th*, 1868.

To the Senate of the United States:

I nominate Oscar Buckalew, of Arizona Territory, to be receiver of public moneys for the district of lands subject to sale at Prescott, Arizona Territory.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 15, 1868.

To the Senate of the United States:

I nominate Robert F. Piatt, of Arizona Territory, to be register of the land office at Prescott, Arizona Territory.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 15, 1868.

To the Senate of the United States:

I nominate Joseph H. Nourse, of Wisconsin, to be receiver of public moneys for the district of lands subject to sale at Bayfield, Wisconsin, vice Asaph Whittlesey, appointed Indian agent.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 15, 1868.

To the Senate of the United States:

I nominate Asaph Whittlesey, of Wisconsin, to be agent for the Chippewas of Lake Superior, vice Luther E. Webb, appointed superintendent for New Mexico.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 15, 1868.

To the Senate of the United States:

I nominate Sherman Day, of California, to be surveyor-general of California, vice Lauren Upson, whose term of office has expired.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 15, 1868.

To the Senate of the United States:

I nominate M. M. McCauley, of Montana Territory, to be agent for the Flat Head and other confederated tribes of Indians in Montana Territory, vice John W. Wells, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 15, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment in the Army of the United States, they having passed the examination required by law:

Gustavus C. Doane, late first lieutenant of the Mississippi Marine Brigade (Cavalry), to be second lieutenant in the Second Regiment United States Cavalry, July 5, 1868, vice Stambaugh, promoted.

Sergeant-Major Edward Lynch, of the Thirty-fourth Regiment United States Infantry, to be second lieutenant in the Thirty-third Regiment United States Infantry, July 9, 1868, vice Tull, dismissed.

Edward C. Bartlett, of New York, to be second lieutenant in the Second Regiment United States Cavalry, June 20, 1868, vice ——— ———, the regimental commissary.

William A. Dinwiddie, of Iowa, to be second lieutenant in the Eighth Regiment United States Cavalry, June 20, 1868, vice ——— ———, the regimental adjutant.

ANDREW JOHNSON.

WASHINGTON, *July* 9, 1868.

To the Senate of the United States:

I nominate the officer herein named for appointment in the Army of the United States:

Medical Department.

Assistant Surgeon Henry J. Phillips, United States Army, to be assistant surgeon in the United States Army, March 30, 1864, vice Reily, deceased.

ANDREW JOHNSON.

WASHINGTON, *July* 13, 1868.

To the Senate of the United States:

I withdraw the nomination of James T. Shelby, of Tennessee, to be agent for the Flat Head and other confederated tribes of Indians in the Territory of Montana; and nominate him to be agent for the Indians in New Mexico, under the act approved June 25th, 1860, in place of Lafayette Head, who declines reappointment.

ANDREW JOHNSON.

WASHINGTON, D. C., *July 15th*, 1868.

The messages were read.

Ordered, That the nominations of S. R. Merrill, Wm. C. Duncan, Albert L. Koones, Stephen H. Mott, Anthony F. Campbell, H. N. Barber, Wm. Ohlen, George W. Summers, Cornelius A. Field, F. W. Webster, A. R. Wallace, Eliphalet Wright, George C. Hervey, Samuel Kingman, C. B. Prescott, Andrew S. Hunter, and Mark B. Scull be referred to the Committee on Post-Offices and Post-Roads.

Ordered, That the nomination of Mark S. Hunter be referred to the Committee on Finance.

Ordered, That the nominations of Thomas J. Bowers, Wm. M. Stafford, and Hiram Knowles be referred to the Committee on the Judiciary.

Ordered, That the nominations of Oscar Buckalew, Robert F. Piatt, Joseph H. Nourse, and Sherman Day be referred to the Committee on Public Lands.

Ordered, That the nominations of Asaph Whittlesey, M. M. McCanley, and James T. Shelby be referred to the Committee on Indian Affairs.

Ordered, That the nominations of Gustavus C. Doane and others and Henry J. Phillips be referred to the Committee on Military Affairs and the Militia.

Mr. Trumbull, from the Committee on the Judiciary, to whom was referred, the 5th of February, the nomination of Robert H. Kerr, reported adversely thereon.

Mr. Trumbull, from the Committee on the Judiciary, to whom was referred, the 5th of June, the nomination of John S. Millson, reported the same with the recommendation that it lie on the table.

Mr. Sherman, from the Committee on Finance, to whom was recommitted, the 9th instant, the nomination of Thos. B. Price, reported adversely thereon.

Mr. Conness, from the Committee on Post Offices and Post-Roads, to whom was referred this day the nomination of Stephen H. Mott, reported adversely thereon.

Mr. Morgan, from the Committee on Finance, to whom was referred, the 16th of January, the nomination of Reuben S. Torrey, reported favorably thereon.

Mr. Conkling, from the Committee on the Judiciary, to whom was referred, the 23d of June, the nomination of Edwin O. Perrin, reported the same without recommendation.

Mr. Cattell, from the Committee on Finance, to whom were referred, the 9th instant, the nomination of Louis D. Viser, and the 13th instant the nomination of Adam Rise, reported adversely thereon.

Mr. Ramsey, from the Committee on Post Offices and Post-Roads, to whom was referred this day the nomination of Anthony F. Campbell, reported adversely thereon.

Mr. Morgan, from the Committee on Finance, to whom was referred, the 2d of December last, the message of the President communicating the suspension of T. C. Callicott, reported the following resolution:

Resolved, That the Senate hereby concur in the suspension of T. C. Callicott, collector of internal revenue for the third district of New York, and advise and consent to his removal from the said office; which was considered by unanimous consent, and agreed to.

The Senate resumed the consideration of the nomination of William M. Evarts; and

After debate,

On the question, Will the Senate advise and consent to his appointment?

It was determined in the affirmative, { Yeas 27
Nays 7

On motion by Mr. Tipton,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Anthony, Buckalew, Cole, Conkling, Corbett, Cragin, Doolittle, Drake, Ferry, Fessenden, Fowler, Frelinghuysen, Henderson, Howe, McCreery, Morgan, Morrill of Vt., Morton, Osborn, Rice, Ross, Trumbull, Van Winkle, Vickers, Whyte, Willey, Williams.

Those who voted in the negative are,

Messrs. Harlan, Howard, Stewart, Sumner, Tipton, Wade, Welch.

So it was

Resolved, That the Senate advise and consent to the appointment of Wm. M. Evarts, agreeably to the nomination.

On motion by Mr. Fowler,

Ordered, That he have leave to withdraw the motion, submitted by him the 6th instant, that the resolution advising and consenting to the appointment of Richard T. Miller be reconsidered.

THURSDAY, JULY 16, 1868.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 11th instant, the additional articles to the treaty between the United States and His Majesty the Emperor of China of the 18th of June, 1858, signed in the city of Washington, D. C., the 4th day of July, 1868, reported the same with amendments.

Mr. Henderson, from the Committee on Indian Affairs, to whom was referred, the 15th instant, the nomination of Asaph Whittlesey, reported favorably thereon.

On motion by Mr. Henderson,

The Senate, by unanimous consent, proceeded to consider the said nomination; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom were referred, the 15th instant, the nominations of Cornelius A. Field, T. W. Webster, Eliphalet Wright, C. B. Prescott, and Andrew S. Hunter, reported favorably thereon.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 15th instant, the nomination of Albert L. Koones, reported adversely thereon.

Mr. Sprague, from the Committee on Commerce, to whom was referred, the 20th of June last, the nomination of Richard W. Mullen, reported favorably thereon.

On motion by Mr. Morrill, of Maine,

The Senate proceeded to consider the nomination of John E. Blaine; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Wilson,

The Senate proceeded to consider the nomination of Henry C. Johnson; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Wilson,

The Senate proceeded to consider the nomination of Frank N. Robinson; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Corbett,

The Senate proceeded to consider the nomination of James C. French; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

FRIDAY, JULY 17, 1868.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 11th instant, the convention between the United States and the Mexican Republic for an adjustment of claims of citizens of the two Governments, signed at Washington, D. C., on July 4, 1868, reported the same with no amendment.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 13th instant, the consular convention between the United States and the Mexican Republic, signed in the city of Washington, D. C., July 10, 1868, reported the same with no amendment.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 13th instant, the convention between the United States and the Mexican Republic for the purpose of regulating the citizenship of persons who may emigrate from the one country to the other, signed at Washington, D. C., the 10th July, 1868, reported the same with an amendment.

Mr. Stewart, from the Committee on the Judiciary, to whom were referred, the 15th instant, the nominations of Thomas J. Bowers and Hiram Knowles, reported favorably thereon.

Mr. Pomeroy, from the Committee on Public Lands, to whom was referred, the 13th instant, the nomination of Benjamin Brundage, reported adversely thereon.

Mr. Pomeroy, from the Committee on Public Lands, to whom was referred, the 15th instant, the nomination of Sherman Day, reported favorably thereon.

Mr. Morrill, of Vt., from the Committee on Post-Offices and Post-Roads, to whom was referred, the 15th instant, the nomination of H. N. Barbour, reported favorably thereon.

Mr. Morrill, of Vt., from the Committee on Finance, to whom was referred, the 9th of July, the nomination of Charles W. Burr, reported favorably thereon.

Mr. Frelinghuysen, from the Committee on the Judiciary, to whom was referred, the 21st of May last, the nomination of John P. O'Neill, reported adversely thereon.

Mr. Trumbull, from the Committee on the Judiciary, to whom was referred, the 13th instant, the nomination of Henry L. Warren, reported favorably thereon.

Mr. Ferry, from the Committee on Territories, to whom was referred, the 5th of June, the nomination of W. H. Parker, reported adversely thereon.

Mr. Wilson, from the Committee on Military Affairs and the Militia, to whom were referred, the 13th instant, the nominations of Albert H. Payson and others, and the 15th instant those of Henry J. Phillips, Gustavus C. Doane, Edward Lynch, Edward C. Bartlett, and William A. Dinwiddie, reported favorably thereon.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom were referred, the 15th instant, the nominations of William Ohler and A. R. Wallace, reported adversely thereon.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 15th instant, the nomination of S. R. Merrill, reported favorably thereon.

Mr. Cattell, from the Committee on Finance, to whom was referred, the 15th of July, the nomination of Mark B. Scull, reported favorably thereon.

On motion by Mr. Cattell,

The Senate, by unanimous consent, proceeded to consider the said nomination; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Trumbull,

Ordered, That the nomination of F. T. Sherman be placed on the Calendar.

Mr. Morgan, from the Committee on Finance, to whom were referred, the 28th of January, the nomination of David H. Abell, the 24th of February the nomination of Charles H. Hall, the 16th of March the nomination of James E. Coulter, and the 9th of June the nomination of Lorenzo D. Simons, reported the same with the recommendation that they lie on the table.

Mr. Morgan, from the Committee on Finance, to whom was referred, the 20th of March, the nomination of Edw'd H. Smith, reported favorably thereon.

On motion by Mr. Ross,

Ordered, That the treaty between the United States and the Great and Little Osage tribe of Indians, concluded the 27th day of May, 1868, be recommitted to the Committee on Indian Affairs.

Mr. Ross submitted a proposed amendment to the treaty between the United States and the Great and Little Osage Indians, concluded the 27th day of May, 1868, which was referred to the Committee on Indian Affairs and ordered to be printed in confidence for the use of the Senate.

The Senate proceeded to consider the nomination of S. C. Rowland; and

On motion by Mr. Trumbull,

Ordered, That the said nomination lie on the table.

The Senate proceeded to consider the nomination of George S. Gale; and

On motion by Mr. Harlan,

Ordered, That the said nomination lie on the table.

The Senate proceeded to consider the nomination of Benjamin H. Smith; and

Ordered, That the said nomination lie on the table.

The Senate proceeded to consider the nominations of Thomas E. Webb, Henry Erben, Edward P. McCrea, Felix M. de Nemegyei, E. R. Sprigman, Reuben S. Torrey, Anthony F. Campbell, Cornelius A. Field, Eliphalet Wright, C. B. Prescott, Andrew S. Hunter, Florence O'Donnoghue, George W. Fetterman, James Kelly, James Calhoun, Silas Pepoon, Edmond Luff, James D. McBride, John C. Graham, Richard Summers, Edmund T. Ryan, A. D. Bache Smead, William L. Clark, James C. Edgar, John L. Spaulding, Henry W. Lawton, Edward Donnovan, William J. Dawes, James Egan, Albert J. Neff, Neil J. McCafferty, Charles A. Vernon, George A. Thurston, John B. Babcock, Edward S. Godfrey, Hiero B. Herr, Anderson D. Nelson, Jeremiah P. Schindel, Frederick W. Thibault, Asa B Gardner, Oscar Hagen, Charles M. Clarke, George Sykes, Edward T. Wallace, Reuben N. Fenton, Paul Harwood, James Jackson, Patrick H. Breslin, Thomas D. Murrin, Theodore Kendall, Thomas Sharp, Frank D. Garretty, George A. Drew, and others, to be first lieutenants by brevet in the U. S. Army; Taylor P. Rundlet and others to be majors by brevet in the U. S. A.; Joseph G. Rosengarten and others to be captains by brevet in the Volunteer force; John W. Eckles and others to be captains by brevet in the U. S. Army; John W. Eckles and others to be majors by brevet in the U. S. Army; Wm. E. Merrill to be major by brevet, lieut. col. by brevet, and col. by brevet in the U. S. A.; Adolph G. Rosengarten, Deming N. Welch, Gilbert D. Munson, Josiah M. Faville, Adolph G. Rosengarten to be lt. col. by brevet in the Volunteer force; Deming N. Welch, Edgar S. Adams, Josiah M. Faville, Thomas B. Weir, Wm. Thompson, Albert Barnitz, Adam G. Malloy, Nelson B. Sweitzer, Wm. Hanna, George H. Ward, Phineas Pease, James P. McIvor, James A. Williamson, James M. Nichols to be major, lt. col., and col. by brevet in the Volunteer force; Joseph S. Conrad, Samuel D. Sturgis to be col., brig. gen'l, and major gen'l by brevet in the U. S. Army; Ray T. Gordon, Gilbert S. Jennings, Gilbert S. Jennings, Bernard Reilly, jr., Wm. J. Ross, Wm. H. French, jr., Thomas Wilson, John W. Barriger, Charles R. Hinton, Wm. C. Bayliss, Charles H. Pettit, Wm. C Bayliss, and others for promotion in the U. S. Army; Thomas S. Doebler, Wm. H. French, jr., Henry C. Dodge, George W. Graham, Wm. H. Wood, Joseph N. Flint, Andrew J. Lorish, Henry N. Schlick, Frank S. Adams, and others to be captains by brevet in the Volunteer force; Wm. Rawle Brooke and others to be majors by brevet in the Volunteer force, except Leander S. Callaghan; Wm. Rawle Brooke and others to be lieutenant-colonels by brevet in the Volunteer force; Wm. W. Dudley, Benjamin T. Kneeland, John P Robinson, Russell A. Britton, David Morrison, Z. Ragan, Guy V. Henry, and others for promotion in the Army of the United States; Joseph Kargé, Samuel R. Crumbaugh, Wm. C. Rawolle, James C. McCoy, and others to be first lieutenants by brevet in the Army of the United States; James C. McCoy and others to be captains by brevet in the Army of the United States; James C. McCoy and others to be majors by brevet in the Army of the United States; James C. McCoy and others to be colonels by brevet in the Army of the United States; Elbridge D. Hadley to be lt. col. by brevet in the Volunteer force; John R. Hurd, Francis Osborn, John McNutt, John W. Barriger, Dennis T. Kirby, Josiah Barber, Elbridge D. Hadley to be capt. by brevet in the Vol. force; Josiah Barber, John Rea, and Thomas P. Ogden; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate proceeded to consider the nominations of Samuel Babcock, Philip Lindsley, R. H. Cochran, Francis Price, Robert H. Kerr, Thomas B. Price, Stephen H. Mott, Adam Rise, Albert L. Koones, Otho W. Budd, Joseph L. Tull, George F. Morgan, Henry A. Du Pont, Wm. J. L. Nicodemus, to be lt. col. by brevet and col. by brevet in the U. S. A.; James D. McBride to be first lt. by brevet, capt. by brevet, major by brevet. lt. col. by brevet, and col. by brevet in the U. S. A.; De Lancey Floyd Jones, Chs. F. Ruff, Thomas Barker, Chs. E. Hovey, Wm. H. Clapp, Gustav A. Hesselberger to be capt. by brevet U. S. A.; Gustav A. Hesselberger to be major by brevet U. S. A.; John C. Connor to be major by brevet U. S. A.; James B. Burbank to be capt. by brevet; John C. Connor to be lt. col. by bvt. U. S. A.; John C. Conner to be col. by bvt. U. S. A.; Robert Macfeely, James B. Burbank to be major by brevet U. S. A.; Charles McCormick to be col. by brevet and brig. general by brevet U. S. A.; George S. L. Ward to be 1st lt. by brevet U. S. A.; George S. L. Ward to be capt. by brevet U. S. A.; George W. Graham to be major by bvt. U. S. A.; George W. Graham to be col. by brevet U. S. A.; William W. Dudley to be brigadier-general by brevet in the Volunteer force, and Leander S. Callaghan to be major by brevet in the Volunteer force; and

Resolved, That the Senate do not advise and consent to the appointment of the said persons.

On motion by Mr. Nye,

Ordered, That the nomination of Tredwell Moore be recommitted to the Committee on Military Affairs and the Militia.

SATURDAY, JULY 18, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate J. Rowan Boone to be United States marshal for the district of Kentucky, in place of William A. Merriwether, whose term of office has expired.

ANDREW JOHNSON.

EXECUTIVE MANSION, *July* 18, 1868.

To the Senate of the United States:

I nominate J. J. Noah to be attorney of the United States for the middle district of Tennessee, in the place of H. H. Harrison, resigned.

ANDREW JOHNSON.

EXECUTIVE MANSION, *July* 18, 1868.

To the Senate of the United States:

I nominate Clark H. Green to be collector of internal revenue for the 3d district of Missouri, in place of John M. Cashman, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 17, 1868.

To the Senate of the United States:

I withdraw the nomination, submitted to the Senate on the 15th instant, of F. W. Webster to be deputy postmaster at Tallahassee, in the State of Florida.

ANDREW JOHNSON.

WASHINGTON, D. C., *July*, 18, 1868.

To the Senate of the United States:

I withdraw the nomination of Charles P. Haywood to be collector of internal revenue for the third district of Missouri, submitted to the Senate May 7, 1868.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18, 1868.

To the Senate of the United States:

I nominate Henry Shreve to be deputy postmaster at Alliance, in the county of Stark and State of Ohio, in place of Humphrey Hoover, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18, 1868.

To the Senate of the United States:

I nominate Henry P. Hay, of Tennessee, to be secretary of legation at Florence, vice Green Clay, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 16, 1868.

To the Senate of the United States:

I nominate Henry B. Shaw to be depnty postmaster at Waterloo, in the conuty of Black Hawk and State of Iowa, in place of H. Barron, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18, 1868.

To the Senate of the United States:

I nominate William H. Polk to be deputy postmaster at Paris, in the county of Bourbon and State of Kentucky, in place of Selby Lilliston, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18, 1868.

To the Senate of the United States:

I nominate Asa Jones to be deputy postmaster at Flemington, in the county of Hunterdon and State of New Jersey, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18, 1868.

To the Senate of the United States:

I nominate Charles Sitgreaves to be deputy postmaster at Phillipsburg in the county of Warren and State of New Jersey, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18, 1868.

To the Senate of the United States:

I nominate John Wheelan to be deputy postmaster at Canton, in the county of Madison and State of Mississippi, the office having become subject to Presidential appointment.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18, 1868.

To the Senate of the United States:

I nominate Thomas J. Henly to be deputy postmaster at San Francisco, in the county of San Francisco and State of California, in place of R. F. Perkins, whose commission expires Jan. 25, 1868.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18, 1868.

To the Senate of the United States:

I nominate Jesse Kimball to be deputy postmaster at Sonora, in the county of Tuolumne and State of California, in place of Harlow L. Street, whose commission expired March 8th, 1868.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18, 1868.

To the Senate of the United States:

I nominate James L. Noble to be deputy postmaster at Manchester, in the county of Delaware and State of Iowa, in place of James L. Noble, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18, 1868.

To the Senate of the United States:

I nominate George H. Myers to be deputy postmaster at Appleton, in the county of Outagamie and State of Wisconsin, in place of Charles H. Russell, removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18, 1868.

To the Senate of the United States:

I nominate Russell G. Pettibone to be deputy postmaster at Ogdensburg, in the county of St. Lawrence and State of New York; commission expired.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18, 1868.

To the Senate of the United States:

I nominate John K. Patterson to be deputy postmaster at Dunkirk, in the county of Chautauqua and State of New York, in place of S. L. Willson, who neglects to bond and is under arrest on criminal charges.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18, 1868.

To the Senate of the United States:

I nominate John Crawford to be deputy postmaster at Oneida, in the county of Madison and State of New York; commission expired.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18, 1868.

To the Senate of the United States:

I nominate Carlos Morgan to be deputy postmaster at Glens Falls, in the county of Warren and State of New York; commission expired.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18, 1868.

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To the Senate of the United States:

I nominate W. F. Garrish to be deputy postmaster at Seymour, in the county of Jackson and State of Indiana, in place of Wm. M. Bain, rejected.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18, 1868.

To the Senate of the United States:

I nominate Daultin Wilson to be deputy postmaster at Franklin, in the county of Johnson and State of Indiana, in place of Ephraim Jeffrey, removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18, 1868.

To the Senate of the United States:

I nominate Daniel B. Greene to be deputy postmaster at Ypsilanti, in the county of Washtenaw and State of Michigan, his present commission having expired.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18, 1868.

To the Senate of the United States:

I nominate Henry Little to be deputy postmaster at Auburn, in the county of Androscoggin and State of Maine, in place of Jonathan A. Hill, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18, 1868.

To the Senate of the United States:

I nominate David H. Johnson to be deputy postmaster at Griffin, in the county of Spaulding and State of Georgia, in the place of David H. Johnson, rejected on the 10th of February, 1868.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18, 1868.

To the Senate of the United States:

I nominate James C. Shea to be deputy postmaster at Milledgeville, in the county of Baldwin and State of Georgia, in place of W. E. Quilliam, removed for embezzling money-order funds. Absconded.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18, 1868.

To the Senate of the United States:

I nominate Jacob B. Stickle to be deputy postmaster at Rockaway, in the county of Morris and State of N. J., office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18, 1868.

To the Senate of the United States:

I nominate A. J. Searborough to be deputy postmaster at Lambertville, in the county of Hunterdon and State of New Jersey, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be brigadier-generals by brevet.

Colonel Isaac V. D. Reeve, of the Thirteenth Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet Colonel, Nelson H. Davis, lieutenant-colonel and assistant inspector-general United States Army, for meritorious and efficient services during the war, to date from March 13, 1865.

Colonel James V. Bomford, of the Eighth Regiment United States Infantry, for faithful and efficient services, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *July* 10, 1868.

To the Senate of the United States:

I nominate the person herein named for appointment by brevet in the Volunteer force:

To be colonel by brevet.

Isaac R. Hawkins, late lieutenant colonel of the 7th Tennessee Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

To be brig.-gen'l by brevet.

Brevet Colonel Isaac R. Hawkins, late lieutenant-col. of the 7th Tenn. Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *July* 17, 1868.

To the Senate of the United States:

I nominate Lieutenant-Commander John N. Mitchell to be a commander in the Navy, from the 28th May, 1868, vice Commander N. B. Harrison, promoted.

ANDREW JOHNSON.

WASHINGTON CITY, 18 *July*, 1868.

To the Senate of the United States:

I nominate Passed Assistant Paymaster R. W. Allen to be a paymaster in the Navy, from 1st February, 1868, vice Paymaster Charles S. Perley, resigned;

Passed Assistant Paymaster Henry M. Meade to be a paymaster in the Navy, from the 9th April, 1868, vice Raymaster H. Bridge, transferred to the retired list;

Passed Assistant Paymaster Frank Clark to be a paymaster in the Navy, from the 5th June, 1868, vice Paymaster R. H. Douglas, deceased.

Passed Assistant Paymaster A. D. Bache to be a paymaster in the Navy, from the 11th June, 1868, vice Paymaster Charles C. Upham, deceased;

Assistant Paymaster John MacMahon to be a passed assistant paymaster in the Navy, from the 11th December, 1867, vice Passed Assistant Paymaster R. P. Lisle, promoted;

Assistant Paymaster Theodore S. Thompson to be a passed assistant paymaster in the Navy, from the 1st February, 1868, vice Passed Assistant Paymaster R. W. Allen, nominated for promotion,

Assistant Paymaster Wm. J. Thomson to be a passed assistant paymaster in the Navy, from the 20 March, 1868, vice Passed Assistant Paymaster S. S. Wood, jr., resigned;

Assistant Paymaster Henry G. Colby to be a passed assistant paymaster in the Navy, from the 9 April, 1868, vice Passed Assistant Paymaster H. M. Meade, nominated for promotion;

Assistant Paymaster John R. Carmody to be a passed assistant paymaster in the Navy, from the 5 June, 1868, vice Passed Assistant Paymaster F. Clark, nominated for promotion; and

Assistant Paymaster J. Bayard Redfield to be a passed assistant paymaster in the Navy, from the 11 June, 1868, vice Passed Assistant Paymaster A. D. Bache, nominated for promotion.

ANDREW JOHNSON.

WASHINGTON CITY, 18 *July*, 1868.

The messages were read.

Ordered, That the nominations of J. Rowan Boone and J. J. Noah be referred to the Committee on the Judiciary.

Ordered, That the nomination of Clark H. Green be referred to the Committee on Finance.

Ordered, That the nomination of Henry P. Hay be referred to the Committee on Foreign Relations.

Ordered, That all messages received this day containing nominations for deputy postmasters be severally referred to the Committee on Post-Offices and Post-Roads.

Ordered, That the nominations of J. V. D. Reeve and others and Isaac R. Hawkins be referred to the Committee on Military Affairs and the Militia.

Ordered, That the nominations of John G. Mitchell and R. W. Allen and others be referred to the Committee on Naval Affairs.

The treaty between the United States and the Cherokee Nation of Indians, supplemental to the treaty of July 19, 1868, concluded at Washington, D. C., July 9, 1868, was read the first time.

On motion by Mr. Henderson,

Ordered, That the said treaty be referred to the Committee on Indian Affairs and, with the accompanying papers, printed in confidence for the use of the Senate.

Mr. Ramsey, from the Committee on Post Offices and Post-Roads, to whom were referred, the 15th instant, the nominations of George C. Hervey and Samuel Kingman, and this day the nominations of George H. Myers, Russell G. Pettibone, John K. Patterson, John Crawford, and Carlos Morgan, reported favorably thereon.

The Senate, by unanimous consent, proceeded to consider the said nominations; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Conness, from the Committee on Post-Offices and Post-Roads, to whom was referred, this day, the nomination of Thomas J. Henley, reported adversely thereon.

The Senate, by unanimous consent, proceeded to consider the said nomination; and

Resolved, That the Senate do not advise and consent to the appointment of the said person.

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Mr. Wilson, from the Committee on Military Affairs and the Militia, to whom was referred, the 9th of December last, the nomination of Nelson H. Davis, and the 11th instant the nominations of John Green and others, for promotion in the Army of the United States, William Russell, jr., and others, to be 1st lieutenants by brevet in the Army of the United States; William Russell, jr., and others, to be captains by brevet in the Army of the United States; George Q. White and others, to be majors by brevet in the Army of the United States; Garrick Mallery and others, to be lieutenant-colonels by brevet in the Army of the United States; Bernard J. D. Irwin and others, to be colonels by brevet in the United States Army; Theophilus T. Rodenbough, Joseph B. Kiddoo, Isaac H. Folger, Joseph W. Yocum, Benjamin R. Jennie, Amos L. Bixby, Frank Reeder, to be majors by brevet in the Volunteer force; Frank Reeder to be lieutenant colonel by brevet in the Volunteer force, Jeremiah B. Cook, Edward H. Wolfe, and J. Burnham Kinsman, reported favorably thereon.

The Senate, by unanimous consent, proceeded to consider the said nominations; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Pomeroy, from the Committee on Public Lands, to whom was referred, the 15th instant, the nomination of Joseph H. Nourse, reported favorably thereon.

The Senate, by unanimous consent, proceeded to consider the said nomination; and

Resolved, That the Senate advise and consent to the appointment of the said person agreeably to the nomination.

Mr. Pomeroy, from the Committee on Public Lands, to whom was referred, the 20th of June last, the nomination of Henry C. Myers, reported adversely thereon.

The Senate, by unanimous consent, proceeded to consider the said nomination; and

Resolved, That the Senate do not advise and consent to his appointment.

Mr. Harlan, from the Committee on the District of Columbia, to whom was referred, the 8th of January last, the nomination of Terence Drury, reported favorably thereon.

The Senate, by unanimous consent, proceeded to consider the said nomination; and

Resolved, That the Senate advise and consent to his appointment agreeably to the nomination.

The Senate proceeded to consider the nomination of Henry A. Smythe; and

On the question, Will the Senate advise and consent to his appointment?

It was determined in the negative, { Yeas..... 15
Nays..... 28

On motion by Mr. Morgan,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Buckalew, Corbett, Davis, Fessenden, Fowler, Hendricks, McCreery, Morgan, Nye, Patterson of Tenn., Pomeroy, Ross, Sherman, Van Winkle, Vickers.

Those who voted in the negative are,

Messrs. Anthony, Cameron, Chandler, Conkling, Cragin, Drake, Ferry, Frelinghuysen, Harlan, Harris, Howe, McDonald, Morrill of Me.,

Morton, Osborn, Ramsey, Willey, Williams, Rice, Sprague, Stewart, Sumner, Thayer, Tipton, Trumbull, Wade, Wilson, Yates.

So it was

Resolved, That the Senate do not advise and consent to the appointment of Henry A. Smythe.

The Senate proceeded to consider the nominations of Charles R. Hinton, Wm. C. Bayliss, Charles H. Pettit, Richard W. Mullen, Thomas J. Bowers, Hiram Knowles, Sherman Day, Charles W. Burr, H. N. Barber, Henry L. Warren, F. T. Sherman, Albert H. Payson, and others for appointment in the Army of the United States; Gustavus C. Doane, Edward Lynch, Edward C. Bartlett, William A. Dinwiddie, Henry J. Phillips, S. R. Merrill, and Ed. H. Smith; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate proceeded to consider the nominations of John B. Winstandley, Benjamin F. Brundage, W. H. Parker, William Obler, and A. R. Wallace; and

Resolved, That the Senate do not advise and consent to the appointment of the said persons.

The Senate proceeded to consider the nomination of Louis D. Viser; and

On motion by Mr. Cattell,

Ordered, That the said nominations be recommitted to the Committee on Finance.

The Senate proceeded to consider the nominations of David H. Abell, Charles H. Hall, James E. Coulter, and Lorenzo D. Simons.

Whereupon

Ordered, That the said nominations lie on the table.

On motion by Mr. Nye,

Ordered, That the Committee on Military Affairs and the Militia be discharged from the further consideration of the nomination of Tredwell Moore.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said person, agreeably to the nomination.

The Senate proceeded to consider the motion submitted by Mr. Conkling, the 9th of June last, to reconsider the resolution advising and consenting to the appointment of Alfred T. Lacy; and

The motion was agreed to.

The question recurring, Will the Senate advise and consent to the appointment of Alfred T. Lacy?

On motion by Mr. Kellogg,

Ordered, That the said nomination be recommitted to the Committee on Finance.

On motion by Mr. Van Winkle, that the Senate adjourn,

It was determined in the affirmative, { Yeas..... 24
Nays..... 20

On motion by Mr. Stewart,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Buckalew, Cameron, Cole, Conkling, Doolittle, Fessenden, Fowler, Frelinghuysen, Hendricks, McCreery, Morgan, Morrill of Vt., Osborne, Patterson of N. H., Pool, Ramsey, Rice, Tipton, Trumbull, Van Winkle, Vickers, Wade, Willey, Williams.

Those who voted in the negative are,

Messrs. Anthony, Cattell, Conness, Corbett, Cragin, Drake, Harlan, Howe, Morrill of Me., Morton, Nye, Pomeroy, Ross, Sherman, Sprague, Stewart, Sumner, Thayer, Wilson, Yates.

MONDAY, JULY 20, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Robert Mullen, of Nevada, to be register of the land office at Belmont, Nevada.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 20, 1868.

To the Senate of the United States:

I nominate J. G. Riddle, of Nevada, to be receiver of public moneys for the district of lands subject to sale at Belmont, Nevada.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 20, 1868.

To the Senate of the United States:

I nominate David J. Ryan, of Wisconsin, to be receiver of public moneys for the district of lands subject to sale at Menosha, Wisconsin, vice Theodore W. Worse, removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 20, 1868.

To the Senate of the United States:

I nominate Albert G. Boone, of Colorado, to be agent for the Kiowa and Comanche Indians, vice Jesse H. Leavenworth, whose term of office has expired.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 20, 1868.

To the Senate of the United States:

I nominate Elisha Foote, of New York, to be Commissioner of Patents, to fill the vacancy caused by the resignation of Thomas C. Theaker.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 20, 1868.

To the Senate of the United States:

I nominate Christopher C. Cox, of Maryland, to be Commissioner of Pensions, to fill the vacancy caused by the resignation of Joseph H. Barrett.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 20, 1868.

To the Senate of the United States:

I nominate E. A. Ryther to be a justice of the peace in and for the county of Washington, District of Columbia.

ANDREW JOHNSON.

EXECUTIVE MANSION, *July* 20, 1868.

To the Senate of the United States:

I nominate William P. Wells to be assistant Secretary of the Treasury, in place of William E. Chandler, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18, 1868.

To the Senate of the United States:

I nominate Jeremiah Seitzinger to be assessor of internal revenue for the tenth district of Pennsylvania.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 20, 1868.

To the Senate of the United States:

I nominate O. H. Burnham to be assessor of internal revenue for the second district of California, vice Richard Savage, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18, 1868.

To the Senate of the United States:

I nominate Charles N. Felton to be Treasurer of the U. S. branch mint (and Ass't treas'r of the U. S.), at San Francisco, California, in place of D. W. Cheesman, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18, 1868.

To the Senate of the United States:

I nominate Oliver Smith Williams to be collector of internal revenue for the second district of Connecticut, vice John Woodruff, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 20, 1868.

To the Senate of the United States:

I nominate Theodore T. Tidball to be collector of internal revenue for the second district of California, vice William N. Slocum, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18, 1868.

To the Senate of the United States:

I nominate Edward T. Wood to be collector of internal revenue for the third district of New York, vice Theophilus C. Callicott, removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18*th*, 1868.

To the Senate of the United States:

I nominate Edmund Cooper to be commissioner of internal revenue, in place of E. A. Rollins, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18*th*, 1868.

To the Senate of the United States:

I nominate Henry W. Watts, of Pennsylvania, to be envoy extraordinary and minister plenipotentiary of the United States to Austria, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, 20 *July*, 1868.

To the Senate of the United States:

I nominate John L. Dawson, of Pennsylvania, to be envoy extraordinary and minister plenipotentiary of the United States to Russia, vice Cassius M. Clay, resigned.

ANDREW JOHNSON.

WASHINGTON, 20 *July*, 1868.

To the Senate of the United States:

I nominate Wm. S. Rosecrans, of Ohio, to be envoy extraordinary and minister plenipotentiary of the United States to Spain, vice John P. Hale.

ANDREW JOHNSON.

WASHINGTON, 20 *July*, 1868.

To the Senate of the United States:

I nominate John A. McClernand, of Illinois, to be envoy extraordinary and minister plenipotentiary of the United States to Mexico, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, 20 *July*, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment in the Army of the United States, they having passed the examination required by law:

Herbert Cushman, of Pennsylvania, to be second lieutenant in the Twentieth Regiment United States Infantry, June 23, 1868, vice Morris, promoted.

Sergeant Gustavus Valois, of Company I, Fifth Regiment United States Cavalry, to be second lieutenant in the Ninth Regiment United States Cavalry, July 18, 1868, vice Loud, promoted.

ANDREW JOHNSON.

WASHINGTON, *July* 18, 1868.

To the Senate of the United States:

I nominate the officers herein named for promotion in the Army of the United States:

First Regiment of Cavalry.

First Lieutenant John McDonald to be captain, July 1, 1868, vice Baker, resigned.

First Lieutenant John Barry to be captain, July 1, 1868, vice McDonald, retired.

Second Lieutenant Alexander H. Stanton to be first lieutenant, July 1, 1868, vice McDonald, promoted.

ANDREW JOHNSON.

WASHINGTON, *July* 15, 1868.

NOTE.—This nomination is made to supersede so much of that sent to the Senate, July 2, 1868, as relates to 1st Regiment of Cavalry, commencing with 1st Lieut. John Barry and ending with 2d Lieut. Alexander H. Stanton.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be first lieutenants by brevet.

Second Lieutenant Thomas H. Bradley, of the Eleventh Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 2, 1867.

Second Lieutenant Henry W. Smith, of the Third Regiment United States Cavalry, for gallant and meritorious conduct during the war, to date from August 9, 1867.

Second Lieutenant James F. Simpson, of the Fortieth Regiment United States Infantry, for gallant and meritorious services in the battle of the Wilderness, Va., to date from August 17, 1867.

Second Lieutenant George F. Foote, of the Ninth Regiment United States Infantry, for gallant and meritorious services in the battle of Jonesboro', Georgia, to date from March 2, 1867.

Second Lieutenant Joseph H. Hurst, of the Twelfth Regiment United States Infantry, for gallant and meritorious services in the battle of Chancellorsville, Virginia, to date from March 7, 1867.

Second Lieutenant Lucius S. Windle, of the Nineteenth Regiment United States Infantry, for gallant and meritorious services in the battle of Jonesboro', Georgia, to date from March 7, 1867.

ANDREW JOHNSON.

WASHINGTON, *July* 9, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be captains by brevet.

Brevet First Lieutenant Thomas H. Bradley, second lieutenant in the Eleventh Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 2, 1867.

Brevet First Lieutenant Henry W. Smith, second lieutenant in the Third Regiment United States Cavalry, for gallant and meritorious conduct during the war, to date from August 9, 1867.

First Lieutenant Edward Simonton, of the Fourth Regiment United States Infantry, for gallant and meritorious services in the battle of Petersburg, Va., to date from March 2, 1867.

First Lieutenant Archibald Boyle, of the Thirty-ninth Regiment United States Infantry, for gallant and meritorious services in the battle of Olustee, Florida, to date from May 21, 1867.

Brevet First Lieutenant James F. Simpson, second lieutenant in the Fortieth Regiment United States Infantry, for gallant and meritorious services in the battle of Ream's Station, Va., to date from August 17, 1867.

Brevet First Lieutenant George F. Foote, second lieutenant in the Ninth Regiment United States Infantry, for gallant and meritorious services in the battle of Bentonville, North Carolina, to date from March 2, 1867.

First Lieutenant Daniel D. Wheeler, of the First Regiment United States Artillery, for gallant and meritorious services in the battles of Salem Heights and Cool Arbor, Virginia, to date from March 2, 1867.

Brevet First Lieutenant Robert G. Rutherford, second lieutenant in the Forty-fifth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 7, 1867.

Brevet First Lieutenant Joseph H. Hurst, second lieutenant in the Twelfth Regiment United States Infantry, for gallant and meritorious services in the battle of Spottsylvania, Virginia, to date from March 7, 1867.

First Lieutenant Henry J. Farnsworth, of the Thirty-fourth Regiment United States Infantry, for faithful and efficient services during the war, to date from June 14, 1867.

First Lieutenant Phineas Stevens, of the Thirty-fifth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

First Lieutenant William H. King, of the Tenth Regiment United States Infantry, for gallant and meritorious services at the battle of Fair Oaks, Virginia, May, 1862, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *July* 9, 1868.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be captain by brevet.

First Lieutenant Alexander S. B. Keyes, of the Thirtieth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *July* 18, 1868.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be major by brevet.

Brevet Captain Samuel S. Culbertson, first lieutenant in the Nineteenth Regiment United States Infantry, for gallant and meritorious services during the war, to date from April 2, 1865.

ANDREW JOHNSON.

WASHINGTON, *July* 18, 1868.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be major by brevet.

Captain Lewis Merrill, of the Second Regiment United States Cavalry, for gallant and meritorious services against the rebel forces in North Missouri, to date from September 10, 1862.

To be lieutenant-colonel by brevet.

Brevet Major Lewis Merrill, captain in the Second Regiment United States Cavalry, for gallant and meritorious services in the capture of Little Rock, Ark., to date from September 10, 1863.

To be colonel by brevet.

Brevet Lieutenant-Colonel Lewis Merrill, captain in the Second Regiment United States Cavalry, for gallant and meritorious services against the rebel forces in Northwest Georgia, under the command of the rebel General Wofford, and which terminated in his surrender, to date from March 5, 1865.

ANDREW JOHNSON.

WASHINGTON, *July* 15, 1868.

NOTE.—Captain Lewis Merrill, 2d U. S. Cavalry, has been confirmed as major and lieutenant-colonel U. S. A., by brevet, and his nomination for the brevet of colonel is now before the Senate, but the services stated in his previous nominations have been changed to those of a more specific nature, as well as to dates, and this nomination is therefore made for a correction of the previous nominations in his case.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Army of the United States:

To be lieutenant-colonel by brevet.

James W. Abert, late major in the Corps of Engineers United States Army, for faithful and meritorious services in the valley of the Shenandoah, from June, 1861, to September, 1862, to date from June 25, 1864.

ANDREW JOHNSON.

WASHINGTON, *July* 16, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be majors by brevet.

Brevet Captain Henry W. Smith, second lieutenant in the Third Regiment United States Cavalry, for gallant and meritorious conduct during the war, to date from August 9, 1867.

Captain Jacob H. Smith, of the Thirteenth Regiment United States Infantry, for gallant conduct at the battle of Shiloh, Tenn., April 6, 1862, to date from March 7, 1867.

ANDREW JOHNSON.

WASHINGTON, *July* 9, 1867.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be colonels by brevet.

Brevet Lieutenant-Colonel Thomas Shea, captain in the Forty-fourth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Lieutenant-Colonel Joseph C. Clark, jr., captain United States Army, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *July* 13, 1867.

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To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be major-general by brevet.

Brevet Brigadier-General Charles H. Smith, colonel of the Twenty-eighth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *July* 9, 1868.

To the Senate of the United States:

I nominate the person herein named for appointment by brevet in the Volunteer force:

To be captain by brevet.

Evan M. Woodward, late first lieutenant and adjutant of the Second Pennsylvania Veteran Reserve Corps, for gallant and meritorious services at the battle of Fredericksburg, Virginia, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *July* 9, 1868.

To the Senate of the United States:

I nominate the person herein named for appointment by brevet in the Volunteer force:

To be major by brevet.

Ira B. Gardner, late captain of the Fourteenth Maine Volunteers, for gallant and meritorious services in the battle of Baton Rouge, Louisiana, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *July* 9, 1868.

To the Senate of the United States:

I nominate the person herein named for appointment by brevet in the Volunteer force:

To be major by brevet.

Joseph Demsey, late captain of the One hundred and forty-seventh New York Volunteers, for gallant and meritorious services at the battle of Hatcher's Run, Virginia, February 6, 1865, to date from March 13, 1865.

To be lieutenant-colonel by brevet.

Brevet Major Joseph Demsey, late captain of the One hundred and forty-seventh New York Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *July* 18, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be lieutenant-colonels by brevet.

Brevet Major Ira B. Gardner, late captain of the Fourteenth Maine Volunteers, for gallant and meritorious services in the battle of Winchester, Virginia, to date from March 13, 1865.

Edward H. R. Revere, late surgeon of the Twentieth Massachusetts Volunteers, for gallant and meritorious services at the battle of Antietam, Md., where killed, to date from September 17, 1862.

ANDREW JOHNSON.

WASHINGTON, *July* 9, 1868.

To the Senate of the United States:

I nominate the person herein named for appointment by brevet in the Volunteer force:

To be colonel by brevet.

Brevet Lieutenant-Colonel Charles A. Carleton, late major and assistant adjutant-general of Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *July* 14, 1868.

To the Senate of the United States:

I nominate the person herein named for appointment by brevet in the Volunteer force:

To be brigadier-general by brevet.

William M. McArthur, late colonel of the Eighth Maine Volunteers, for gallant and meritorious conduct at the battle of Drury's Bluff, May 14, 1864, and in the action of Williamsburg Road, October 27, 1864, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *July* 14, 1868.

[NOTE.—Wm. M. McArthur, late colonel 8th Maine Volunteers, has been confirmed as brigadier-general of Volunteers by brevet, but the services for which he was entitled to the brevet were not stated in the former nomination.]

To the Senate of the United States:

I nominate the person herein named for appointment by brevet in the Volunteer force:

To be brigadier-general by brevet.

Paul Joseph Revere, late colonel of the Twentieth Massachusetts Volunteers, for gallant and meritorious services at the battle of Gettysburg, Pa., where mortally wounded, to date from July 2, 1863.

ANDREW JOHNSON.

WASHINGTON, *July* 15, 1868.

To the Senate of the United States:

I nominate the person herein named for appointment by brevet in the Volunteer force:

To be major-general by brevet.

Brevet Brigadier-General William J. Sewell, late colonel of the Thirty-eighth New Jersey Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *July* 18, 1868.

The messages were read.

Ordered, That the nominations of Robert Mullen, J. G. Riddle, and David G. Ryan be referred to the Committee on Public Lands.

Ordered, That the nomination of Albert G. Boone be referred to the Committee on Indian Affairs.

Ordered, That the nomination of Christopher C. Cox be referred to the Committee on Pensions.

Ordered, That the nomination of E. A. Ryther be referred to the Committee on the District of Columbia.

Ordered, That the nominations of William P. Wells, Jeremiah Seitzinger, O. H. Burnham, Charles N. Felton, Oliver Smith Williams, Theodore T. Tidball, Edward T. Wood, and Edmund Cooper be referred to the Committee on Finance.

Ordered, That the nominations of Henry M. Watts, John L. Dawson William S. Rosecrans, and John A. McClernand be referred to the Committee on Foreign Relations.

Ordered, That all messages received this day containing nominations for appointment in the Army of the United States and Volunteer force be severally referred to the Committee on Military Affairs and the Militia and printed in confidence for the use of the Senate.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom were referred, the 18th instant, the nominations of Henry Shreve and Daniel B. Green, reported favorably thereon.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom were referred, the 15th instant, the nomination of Wm. C. Duncan, and the 18th instant the nominations of Wm. F. Gerrish and Daultin Wilson, reported adversely thereon.

Mr. Cattell, from the Committee on Finance, to whom was referred, the 18th instant, the nomination of Louis D. Viser, reported favorably thereon.

Mr. Morrill, of Vermont, from the Committee on Finance, to whom was referred this day the nomination of Oliver Smith Williams, reported adversely thereon.

The Senate by unanimous consent, proceeded to consider the said nomination; and

Resolved, That the Senate do not advise and consent to the appointment of the said person.

Mr. Ramsey submitted the following resolution for consideration: That the resolution that the Senate do not advise and consent to the appointment of W. H. Parker be reconsidered.

Mr. Edmunds submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President be requested to communicate to the Senate any information in his possession on the subject of the resignation of the Commissioner of Internal Revenue.

On motion by Mr. Sumner,

The Senate proceeded to consider the treaty between the United States and His Majesty the King of the Hawaiian Islands, concluded at the city of San Francisco the 21st of May, 1867.

The treaty was read the second time and considered as in Committee of the Whole.

After debate,

On motion by Mr. Ramsey,

The Senate adjourned.

TUESDAY, JULY 21, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Daniel J. Bailey to be deputy postmaster at Pit Hole City, in the county of Venango and State of Penna., in place of Wm. H. Longwell, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 21, 1868.

To the Senate of the United States:

I nominate Corydon B. Streeter to be deputy postmaster at Youngstown, in the county of Mahoning and State of Ohio, in place of Thomas L. Moore, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 21, 1868.

To the Senate of the United States:

I nominate Henry C. Hunt to be dep. p. m. at Delavan, in the county of Walworth and State of Wisconsin, in place of Charles Smith, removed.

ANDREW JOHNSON.

WASHINGTON, *July* 21, 1868.

To the Senate of the United States:

I nominate Elisha P. Liscomb to be deputy postmaster at Lebanon, in the county of Grafton and State of N. H., office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 21, 1868.

To the Senate of the United States:

I nominate Charles C. Gapen to be deputy postmaster at Lacon, in the county of Marshall and State of Ill., in place of Jacob B. Garrigus, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 21, 1868.

To the Senate of the United States:

I nominate Wm. B. Hedgepeth to be deputy postmaster at Union City, in the county of Randolph and State of Indiana, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 21, 1868.

To the Senate of the United States:

I nominate Nathan B. Bennett to be deputy postmaster at Cambridge City, Wayne County and State of Indiana.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 21, 1868.

To the Senate of the United States:

I nominate Israel Curry to be deputy postmaster at Thorntown, in the county of Boone and State of Indiana, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 21, 1868.

To the Senate of the United States:

I nominate Tilghman M. Gentry to be deputy postmaster at Bloomington, in the county of Monroe and State of Indiana, in place of Uriah Mulliken, rejected.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 21, 1868.

To the Senate of the United States:

I nominate James M. Nibling to be deputy postmaster at Findlay, in the county of Hancock and State of Ohio, in place of Julius P. Dennis, rejected.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 21, 1867.

To the Senate of the United States:

I nominate Samuel Neel to be deputy postmaster at Van Wert, in the county of Van Wert and State of Ohio, in place of Samuel Neel, rejected by the Senate.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 21, 1868.

To the Senate of the United States:

I nominate Culver A. Barcalow to be deputy postmaster at Somerville, in the county of Somerset and State of New Jersey, in place of Culver Barcalow, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 21, 1868.

To the Senate of the United States:

I nominate Emeline A. Finch to be deputy postmaster at Red Bank, in the county of Monmouth and State of New Jersey, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 21, 1868.

To the Senate of the United States:

I nominate Franklin Burroughs to be deputy postmaster at Millville, in the county of Cumberland and State of New Jersey, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 21, 1868.

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To the Senate of the United States:

I nominate Thomas H. Slingsby to be deputy postmaster at Rouse's Point, in the county of Clinton and State of New York, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 21, 1868.

To the Senate of the United States:

I nominate John M. Keese to be deputy postmaster at Rhinebeck, in the county of Dutchess and State of New York, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 21, 1868.

To the Senate of the United States:

I nominate Moses E. Flanagan to be assessor of internal revenue for the Thirty-second district of New York, vice Sylvester P. Gilbert.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 18*th*, 1868.

To the Senate of the United States:

I nominate S. Ferguson Beach to be United States attorney for the district of Virginia, in place of L. H. Chandler, whose term of office has expired.

ANDREW JOHNSON.

EXECUTIVE MANSION, *July* 21, 1868.

To the Senate of the United States:

I nominate Thomas Parsons to be collector of customs for the district of Genesee, in the State of New York, in place of James H. Kelly, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 21*st*, 1868.

To the Senate of the United State:

I nominate Warren T. Lockhart, of Nevada, whose term of office has expired, to be register of the land office at Carson City, Nevada.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 21, 1868.

To the Senate of the United States:

I nominate Ira H. Smith, of Kansas, whose term of office has expired, to be register of the land office at Topeka, Kansas.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 21, 1868.

To the Senate of the United States:

I nominate Stephen F. Chadwick, of Oregon, to be receiver of public moneys for the district of lands subject to sale at Roseburg, Oregon, vice Addison R. Flint, whose term of office has expired.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 21, 1868.

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To the Senate of the United States:

I nominate William B. Storm, of New York, to be consul of the United States at Leeds, vice William L. Raymond, resigned.

ANDREW JOHNSON.

WASHINGTON, 21 *June*, 1868.

To the Senate of the United States:

I nominate Dorence Atwater, of Connecticut, to be consul of the United States at Seychelles, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, 21 *June*, 1868.

To the Senate of the United States:

I nominate Joseph W. Meeks, jr., of New York, to be consul of the United States at Nantes, vice George M. Towle, transferred to Bradford.

ANDREW JOHNSON.

WASHINGTON, 21 *June*, 1868.

To the Senate of the United States:

I nominate William F. Pidgeon, of Indiana, to be secretary of the Territory of Idaho, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, D. C., 21 *June*, 1868.

The messages were read.

Ordered, That all messages received this day containing nominations for deputy postmasters be severally referred to the Committee on Post-Offices and Post-Roads.

Ordered, That the nomination of Moses E. Flanagan be referred to the Committee on Finance.

Ordered. That the nomination of S. Ferguson Beach be referred to the Committee on the Judiciary.

Ordered, That the nominations of Thomas Parsons, Wm. B. Storm, Dorence Atwater, and John W Meeks, jr., be referred to the Committee on Commerce.

Ordered, That the nominations of Warren J. Lockhart, Ira H. Smith, and Stephen F. Chadwick be referred to the Committee on Public Lands

Mr. Sumner, from the Committee on Foreign Relations, to whom were referred, the 20th instant, the nominations of John L. Dawson and John A. McClernand, reported adversely thereon.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 20th instant, the nomination of Wm. S. Rosecrans, reported the same with the recommendation that it lie on the table.

Mr. Ferry, from the Committee on Patents, to whom was referred, the 20th instant, the nomination of Elisha Foote, reported favorably thereon.

Mr. Wilson, from the Committee on Military Affairs and the Militia, to whom were referred, the 18th instant, the nominations of Isaac V. D. Reeve and others, and the 20th instant those of Herbert Cushman, Gustavus Valois, John McDonald, John Barry, Alexander H. Stanton, Thos. H. Bradley and others, to be 1st lieutenants by brevet in the U. S. A.; Thos. H. Bradley and others, to be captains by brevet in the U. S. A.; Alexander S. B. Keyes, Samuel S. Culbertson, Lewis Merrill and others, James W. Abert, Henry W. Smith, Jacob H. Smith, Thomas Shea, Joseph C. Clark, jr., Charles H. Smith, Evan M. Woodward, Ira

B. Gardner, Joseph Dempsey, Ira B. Gardner, Edward H. R. Revere, Charles A. Carleton, Wm. M. McArthur, Paul Joseph Revere, and Wm. J. Sewell, reported favorably thereon.

Mr. Stewart, from the Committee on Public Lands, to whom were referred, the 20th instant, the nominations of Robert Mullen and J. G. Riddle, reported adversely thereon.

Mr. Sherman, from the Committee on Finance, to whom was referred, the 20th instant, the nomination of William P. Wells, reported adversely thereon.

Mr. Van Winkle, from the Committee on Pensions, to whom was referred, the 20th instant, the nomination of Christopher C. Cox, reported favorably thereon.

Mr. Pomeroy, from the Committee on Public Lands, to whom was referred, the 20th instant, the nomination of David J. Ryan, reported favorably thereon.

The Senate, by unanimous consent, proceeded to consider the said nomination; and

Resolved, That the Senate advise and consent to the appointment of the said person, agreeably to the nomination.

THURSDAY, JULY 23, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Reuben P. Harmon, of Ohio, to be consul of the United States at the Island of Trinidad, vice Orville Allen, resigned.

ANDREW JOHNSON.

WASHINGTON, 22 *July*, 1868.

To the Senate of the United States:

I nominate Levi Howland Coit to be consul of the United States at Valencia, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, 22 *July*, 1868.

To the Senate of the United States:

I nominate Matthew Meigs, of Pennsylvania, to be consul of the United States at Piræus, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, 22 *July*, 1868.

To the Senate of the United States:

I nominate Alvin Hawkins, of Tennessee, to be consul-general of the United States at Havana, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, 22 *July*, 1868.

To the Senate of the United States:

I nominate Jacob B. Blair, of West Virginia, to be minister resident of the United States at Costa Rica.

ANDREW JOHNSON.

WASHINGTON, 22 *July*, 1868.

To the Senate of the United States:

I nominate Roswell G. Pettibone to be deputy postmaster at Ogdensburg, in the county of St. Lawrence and State of New York, in place of Russell G. Pettibone, erroneously sent to the Senate.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 22, 1868.

To the Senate of the United States:

I nominate Robert Newell, of Idaho, to be United States Indian agent in the Territory of Idaho, vice James O'Neil, whose term of office has expired.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 22, 1868.

To the Senate of the United States:

I nominate Charles Peters to be naval officer for the district of New York, in the State of New York, to fill a vacancy existing since March 4th, 1867.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 22, 1868.

To the Senate of the United States:

I nominate William E. Wells to be collector of internal revenue for the fourth district of Virginia, in place of John H. Anderson, who was suspended from office during the recess, whose case was submitted to the Senate December 16th, 1867; who, on the 15th ultimo, was convicted in the United States district court of malfeasance in office, and sentenced to imprisonment for two years and to pay a fine of ten thousand dollars, and in whose suspension the Senate declared concurrence on the 23d ultimo.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 22, 1868.

To the Senate of the United States:

I nominate William Seldon to be collector of internal revenue for the second district of Virginia, vice Simon Stone, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 22*d*, 1868.

To the Senate of the United States:

I nominate James Marr to be collector of internal revenue for the collection district of Montana Territory, in place of N. P. Langford, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 21, 1868.

To the Senate of the United States:

I nominate Samuel Milligan to be a judge of the Court of Claims of the United States, in place of David Wilmot, deceased.

ANDREW JOHNSON.

EXECUTIVE MANSION, *July* 23, 1868.

To the Senate of the United States:

I nominate J. Irving Burns to be collector of internal revenue for the district of Idaho, vice J. Cary Geer, to be removed.

ANDREW JOHNSON.

WASHINGTON, *July* 22, 1868.

To the Senate of the United States:

I nominate W. T. Stevens to be assessor of internal revenue for the district of Idaho, in place of Austin Savage, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 22, 1868.

To the Senate of the United States:

I nominate Noah L. Jeffries to be Commissioner of Internal Revenue, in place of E. A. Rollins.

ANDREW JOHNSON.

WASHINGTON, D. C., *July 22d*, 1868.

To the Senate of the United States:

I nominate J. M. Keating to be deputy postmaster at Memphis, in the county of Shelby and State of Tennessee, in place of Robert C. Gist, whose commission has expired.

ANDREW JOHNSON.

WASHINGTON, D. C., *July 23d*, 1868.

To the Senate of the United States:

I nominate J. T. Hine to be deputy postmaster at Petaluma, in the county of Sonora and State of California, in place of James Hunter, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 23, 1868.

To the Senate of the United States:

I nominate Richard Sinton to be deputy postmaster at San Francisco, in the county of San Francisco and State of California, in place of Thomas J. Henley, rejected by the Senate.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 23, 1868.

To the Senate of the United States:

I nominate Mrs. Mary J. Martin to be deputy postmaster at Burlington, in the county of Burlington and State of New Jersey, in place of J. Lanmaster, removed on account of physical disability.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 23, 1868.

To the Senate of the United States:

I nominate John A. Clarke, of Illinois, to be surveyor general for the Territory of Utah.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 23, 1868.

To the Senate of the United States:

I nominate Lewis S. Hills, of Utah, to be receiver of public moneys for the district of lands subject to sale in the Utah land district.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 23, 1868.

To the Senate of the United States:

I nominate Courtland C. Clements, of Indiana, to be register of the land office for the Utah land district.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 23, 1868.

The messages were read.

Ordered, That the nomination of Wm. F. Pidgeon be referred to the Committee on Territories.

Ordered, That the nominations of Reuben P. Harmon, Levi Howland Coit, Matthew Meigs, Alvin Hawkins, and Charles Peters be referred to the Committee on Commerce.

Ordered, That the nomination of Jacob B. Blair be referred to the Committee on Foreign Relations.

Ordered, That the nominations of Roswell G. Pettibone, J. M. Keating, J. T. Hine, Richard Sinton, and Mary J. Martin be referred to the Committee on Post Offices and Post-Roads.

Ordered, That the nominations of Wm. E. Wells, Wm. Selden, and James Marr be referred to the Committee on Finance.

Ordered, That the nomination of Robt. Newell be referred to the Committee on Indian Affairs.

Ordered, That the nomination of Saml. Milligan be referred to the Committee on the Judiciary.

Ordered, That the nominations of J. Irving Burns, W. T. Stevens, and Noah L. Jeffries be referred to the Committee on Finance.

Ordered, That the nominations of John A. Clarke, Lewis S. Hills, and Courtland C. Clements be referred to the Committee on Public Lands.

Mr. Conness, from the Committee on Post-Offices and Post-Roads, to whom were referred, this day, the nominations of J. T. Hine and Richard Sinton, reported adversely thereon.

Wherenpon

Resolved, That the Senate do not advise and consent to the appointment of the said persons.

Mr. Ramsey, from the Commttee on Post-Offices and Post-Roads, to whom were referred, the 18th instant, the nomination of Charles Sitgreaves, the 21st of July the nominations of Daniel J. Bailey, Corydon B. Streeter, Elisha P. Liscomb, Wm. B Hedgepeth, Charles C. Gapen, Culver A. Barcalow, Emeline A. Finch, Franklin Burroughs, and John M. Kees, and this day that of Mrs. Mary J. Martin, reported favorably thereon.

Wherenpon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom were referred, the 18th instant, the nomination of Asa Jones, and the 21st instant the nominations of Israel Curry Tilghman M. Gentry, James M. Nibling, and Samuel Neel, and this day that of J. M. Keating, reported adversely thereon.

Wherenpon

Resolved, That the Senate do not advise and consent to the appointment of the said persons.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 21st instant, the nomination of Nathan B. Bennett, reported the same with the recommendation that it lie on the table.

Wherenpon

Ordered, That the said nomination lie on the table.

Mr. Cameron, from the Committee on Foreign Relations, to whom was referred, the 20th instant, the nomination of Henry M. Watts, reported favorably thereon.

Mr. Sherman, from the Committee on Finance, to whom were referred, this day, the nominations of J. Irving Burns and W. T. Stevens, reported the same with the recommendation that they lie on the table.

Wherenpon

Ordered, That the said nominations lie on the table.

Mr. Sherman, from the Committee on Finance, to whom was referred, this day, the nomination of Wm. E. Wells, reported adversely thereon.

Mr. Harlan, from the Committee on Post-Offices and Post-Roads, to whom were referred, the 18th instant, the nominations of Henry B. Shaw and James L. Noble, reported adversely thereon.

Wherenpon

Resolved, That the Senate do not advise and consent to the appointment of the said persons.

Mr. Anthony, from the Committee on Naval Affairs, to whom was referred, the 13th of June last, the nomination of Michael Coyle Drennan, the 18th instant the nominations of John G. Mitchell, R. W. Allen, Henry M. Meade, Frank Clarke, A. D. Bache, John MacMahon, Theodore S. Thompson, Wm. J. Thomson, Henry G. Colby, John R. Carmody, and J. Bayard Redfield, reported favorably thereon.

Wherenpon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Chandler, from the Committee on Commerce, to whom was referred, the 21st inst., the nomination of Dorence Atwater, reported favorably thereon.

Wherenpon

Resolved, That the Senate advise and consent to the appointment of the said person, agreeably to the nomination.

Mr. Chandler, from the Committee on Commerce, to whom was referred, the 21st inst., the nomination of Joseph W. Meeks, jr., reported adversely thereon.

Wherenpon

Resolved, That the Senate do not advise and consent to his appointment.

Mr. Chandler, from the Committee on Commerce, to whom was referred, the 21st instant, the nomination of Wm B. Storm, reported adversely thereon.

Mr. Morgan, from the Committee on Finance, to whom was referred, the 20th instant, the nomination of Edward T. Wood, reported favorably thereon.

Wherenpon

Resolved, That the Senate advise and consent to the appointment of the said person, agreeably to the nomination.

Mr. Morgan, from the Committee on Finance, to whom was referred, the 21st instant the nomination of Moses E. Flanagan reported adversely thereon.

Wherenpon

Resolved, That the Senate do not advise and consent to the appointment of the said person.

Mr. Henderson, from the Committee on Indian Affairs, to whom was referred, the 7th of April last, the nomination of John Ayers, the 13th

instant the nomination of James H. Wilbur, and the 20th instant the nomination of Albert G. Boone, reported favorably thereon.

Wherenpon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Henderson, from the Committee on Indian Affairs, to whom was referred, the 11th instant, the nomination of Avery D. Bancock, reported adversely thereon.

Wherenpon

Resolved, That the Senate do not advise and consent to the appointment of the said person.

Mr. Henderson, from the Committee on Indian Affairs, to whom was referred, the 7th of April last, the nomination of Nicholas Quintana, and the 15th instant the nomination of M. M. McCanley, reported favorably thereon.

Mr. Cattell, from the Committee on Finance, to whom was referred, the 20th of January last, the nomination of Ewing Searight, reported the same with the recommendation that it lie on the table.

Mr. Cattell, from the Committee on Finance, to whom was referred, the 20th instant, the nomination of Jeremiah Seitzinger, reported adversely thereon.

Mr. Williams, from the Committee on Finance, to whom was referred, the 13th instant, the nomination of Silas M. Axtell, and the 20th instant those of O. H. Burnham, Charles N. Felton, and Theodore T. Tidball, reported favorably thereon.

Mr. Williams, from the Committee on Public Lands, to whom was referred, the 21st instant, the nomination of Stephen H. Chadwick, reported the same with the recommendation that it lie on the table.

Wherenpon

Ordered, That the said nomination lie on the table.

Mr. Corbett, from the Committee on Indian Affairs, to whom was referred, this day, the nomination of Robert Newell, reported favorably thereon.

Wherenpon

Resolved, That the Senate advise and consent to the appointment of the said person, agreeably to the nomination.

Mr. Trumbull, from the Committee on the Judiciary, to whom was referred, the 18th instant, the nomination of J. Rowan Boone, reported the same with the recommendation that it lie on the table.

Whereupon

Ordered, That the said nomination lie on the table.

Mr. Trumbull, from the Committee on the Judiciary, to whom was referred, the 18th instant, the nomination of J. J. Noah, the 21st instant the nomination of S. Ferguson Beach, and this day that of Samuel Milligan, reported favorably thereon.

Mr. Stewart, from the Committee on the Judiciary, to whom was referred, the 15th instant, the nomination of Wm. M. Stafford, reported the same with the recommendation that it lie on the table.

Mr. Stewart, from the Committee on Public Lands, to whom was referred, the 21st instant, the nomination of Warren T. Lockhart, reported favorably thereon.

The Senate proceeded to consider the motion submitted by Mr. Harlan, the 25th instant, to reconsider the resolution rejecting the nomination of David M. Mills.

The motion was agreed to.

The question recurring, Will the Senate advise and consent to the appointment of David M. Mills?

It was determined in the affirmative.

So it was

Resolved, That the Senate advise and consent to the appointment of David M. Mills, agreeably to the nomination.

The Senate proceeded to consider the resolution submitted by Mr. Williams, the 12th of February last, that the Senate do not concur in the suspension of Charles H. Hopkins, assessor of internal revenue for the first district of Georgia.

On the question to agree thereto,

It was determined in the affirmative.

So it was

Resolved, That the Senate do not concur in the suspension of Charles H. Hopkins, assessor of internal revenue for the 1st district of Georgia.

The Senate proceeded to consider the nominations of Wm. Raymond Lee, Henry Shreve, Daniel B. Greene, Louis D. Viser, Herbert Cushman, John McDonald, Thomas H. Bradley and others, to be 1st lieutenants by brevet in the U. S. Army; Thos. H. Bradley and others to be captains by brevet in the U. S. Army; Alexander S. B. Keys, Samuel S. Culbertson, Louis Merrill, James W. Abert, Henry W. Smith, Jacob H. Smith, Thomas Shea, Joseph C. Clark, jr., Charles H. Smith, Evan M. Woodward, Ira B. Gardiner, Joseph Dempsey, Ira B. Gardiner, Edward H. R. Revère, Charles A. Carleton, Wm. M. McArthur, Paul Joseph Revere, Wm. J. Sewell, Isaac D. Reeve, Nelson H. Davis, and James V. Bomford; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate proceeded to consider the nominations of Charles E. Ramus, William C. Duncan, W. F. Gerrish, Daultin Wilson, Robert Mullen, J. G. Riddle, and William P. Wells; and

Resolved, That the Senate do not advise and consent to the appointment of the said persons.

The Senate proceeded to consider the nominations of John H. Millson and William S. Rosecrans; and

Ordered, That the said nominations lie upon the table.

FRIDAY, JULY 24, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

In accordance with the joint resolution of Congress approved 11 July, 1868, I nominate Captain James F. Armstrong, now on the retired list, to be a captain in the Navy on the active list from the 25th July, 1866, and to take rank next after Captain Fabius Stanley.

ANDREW JOHNSON.

WASHINGTON CITY, 24 *July*, 1868.

To the Senate of the United States:

I nominate Richard H. Marsh to be a justice of the peace in and for the county of Washington, District of Columbia.

ANDREW JOHNSON.

EXECUTIVE MANSION, *July* 24, 1868.

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To the Senate of the United States:

In compliance with the request of the Senate of the 18th instant, I return herewith their resolution rejecting the nomination of R. H. Cochran to be assessor of internal revenue for the sixth district of Kentucky.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 24, 1868.

To the Senate of the United States:

I nominate Benjamin Gerrish, jr., of New Hampshire, to be consul of the United States at Nantes, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, 24 *July*, 1868.

To the Senate of the United States:

I nominate Mary Rockafeller to be deputy postmaster at Mechanicsburgh, in the county of Cumberland and State of Pennsylvania, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 24, 1868.

To the Senate of the United States:

I nominate Erastus D. Webster to be assessor of internal revenue for the thirty-second district of New York, in place of Sylvester P. Gilbert, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 24, 1868.

To the Senate of the United States:

I nominate T. Lyle Dickey to be assistant attorney-general of the United States.

ANDREW JOHNSON.

EXECUTIVE MANSION, *July* 24, 1868.

To the Senate of the United States:

I nominate J. Hubley Ashton to be assistant attorney general for the United States.

ANDREW JOHNSON.

EXECUTIVE MANSION, *July* 24, 1868.

To the Senate of the United States:

I nominate Robert A. Crawford to be collector of customs for the district of Brazos de Santiago, in the State of Texas, in the place of K. V. Whaley, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 24, 1868.

To the Senate of the United States:

I nominate Neilson Poe to be collector of internal revenue for the third district of Maryland, in place of W. P. Smith, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 24, 1868.

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To the Senate of the United States:

I nominate the person herein named for appointment in the Army of the United States, he having passed the examination required by law:

Charles L. Snow, of New York (late cadet United States Military Academy), to be second lieutenant in the Twenty-fourth Regiment United States Infantry, July 13, 1868, vice Wallace, promoted.

ANDREW JOHNSON.

WASHINGTON, *July* 23, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States.

To be captains by brevet.

Brevet First Lieutenant James H. Rice, second lieutenant in the Forty-fourth Regiment United States Infantry, for meritorious services during the war, to date from March 2, 1867.

Brevet First Lieutenant John S. Loud, second lieutenant in the Ninth Regiment United States Cavalry, for meritorious services during the war, to date from March 2, 1867.

First Lieutenant Mark Walker, of the Nineteenth Regiment United States Infantry, for good conduct throughout the war, to date from March 2, 1867.

First Lieutenant John F. Mount, of the Third Regiment United States Artillery, for meritorious services during the war, to date from March 2, 1867.

Brevet First Lieutenant Ocran H. Howard, second lieutenant in the Fifth Regiment United States Artillery, for gallant and meritorious services in the Signal Corps, at the battle of Five Forks, Va., and during the war, to date from September 3, 1867.

Brevet First Lieutenant John Q. Adams, second lieutenant in the First Regiment United States Cavalry, for gallant and meritorious services in the Signal Corps, at the capture of Fort McAllister, and Savannah, Georgia, and during the war, to date from August 17, 1867.

Brevet First Lieutenant Aaron B. Jerome, second lieutenant in the Eighth Regiment United States Cavalry, for gallant and meritorious services in the Signal Corps during the war, to date from June 18, 1867.

Brevet First Lieutenant David L. Craft, second lieutenant in the Sixth Regiment United States Infantry, for faithful and meritorious services in the Signal Corps during the war, to date from August 24, 1867.

Brevet First Lieutenant Henry C. Pratt, second lieutenant in the Thirteenth Regiment United States Infantry for gallant and meritorious services in the battle of Blackburn's Ford, Va., to date from March 2, 1867.

First Lieutenant George Baldy, of the Thirty-ninth Regiment United States Infantry, for gallant and meritorious services in New Mexico, Colorado, and on the Plains, whilst adjutant of the Third Colorado Volunteers, to date from March 2, 1867.

Brevet First Lieutenant Benjamin D. Boswell, second lieutenant in the Twenty-ninth Regiment United States Infantry, for meritorious services during the war, to date from June 18, 1867.

ANDREW JOHNSON.

WASHINGTON, *July* 22, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States.

To be first lieutenant by brevet.

Second Lieutenant John S. Loud, of the Ninth Regiment United States Cavalry, for meritorious services during the war, to date from March 2, 1867.

Second Lieutenant Ocran H. Howard, of the Fifth Regiment United States Artillery, for gallant and meritorious services in the Signal Corps, in the cavalry campaign from Winchester to Petersburg, and in the battles of Dinwiddie Court-House and Appomattox Court-House, Virginia, to date from September 3, 1867.

Second Lieutenant John Q. Adams, of the First Regiment United States Cavalry, for gallant and meritorious services in the Signal Corps at the battle of Alatoona, Ga., to date from August 17, 1867.

Second Lieutenant David L. Craft, of the Sixth Regiment United States Infantry, for gallantry in maintaining his position under great exposure on the Appomattox signal tower during the siege of Petersburg, Va., in the late war, while his station was for some time deliberately cannonaded by rebel batteries, to date from August 24, 1867.

Second Lieutenant Asa T. Abbott, of the Twenty-eighth Regiment United States Infantry, for faithful and meritorious services in the Signal Corps during the war, to date from March 7, 1867.

Second Lieutenant Henry C. Pratt, of the Thirteenth Regiment United States Infantry, for gallant and meritorious services in the battle of Fair Oaks, Va., to date from March 2, 1867.

Second Lieutenant Benjamin D. Boswell, of the Twenty-ninth Regiment United States Infantry, for gallant and meritorious services in the siege of Vicksburg, Miss., to date from June 18, 1867.

ANDREW JOHNSON.

WASHINGTON, *July* 22, 1868.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be brigadier general by brevet.

Brevet Colonel Ebenezer Swift, surgeon United States Army, for meritorious services, voluntarily rendered during the prevalence of cholera at Fort Harker, Kansas, to date from July 20, 1867.

ANDREW JOHNSON.

WASHINGTON, *July* 23, 1868.

To the Senate of the United States:

I nominate the person herein named for appointment by brevet in the Volunteer force:

To be colonel by brevet.

Brevet Lieutenant-Colonel R. Bruce Ricketts, late major of the First Regiment Pennsylvania Reserve Artillery, for gallant and meritorious services during recent rebellion, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *July* 24, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be majors by brevet.

Brevet Captain William W. Clemens, first lieutenant in the Thirty-fifth Regiment United States Infantry, for meritorious services in the Signal Corps during the war, to date from March 2, 1867.

Brevet Captain Lemuel B. Norton, second lieutenant in the Thirtieth Regiment United States Infantry, for meritorious services in the Signal Corps during the war, especially while chief signal officer of the Army of the Potomac, Department of Virginia and North Carolina, and Department of the Susquehanna, to date from March 2, 1867.

Brevet Captain Ocran H. Howard, second lieutenant in the Fifth Regiment United States Artillery, for meritorious services in the Signal Corps during the war, at the battle of Port Royal Ferry, S. C., and while chief signal officer of the Department and Army of the Tennessee, Middle Military Division, and Military Division of the Gulf, to date from September 3, 1867.

Brevet Captain Henry A. Huntington, first lieutenant in the Fourth Regiment United States Artillery, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Captain David G. Swaim, second lieutenant in the Thirty-fourth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Captain Isaac D. De Russy, of the First Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *July* 22, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be lieutenant-colonels by brevet.

Brevet Major Samuel Bachtell late captain of the Signal Corps, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Major Henry R. Chum, late captain of the Signal Corps, for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet Major S. M. Eaton, late captain of the Signal Corps, for gallant and meritorious services during the war, to date from March 26, 1865.

Brevet Major Henry S. Taft, late captain of the Signal Corps, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Major William C. Rawolle, late captain and additional aide-de-camp, for services in the West, including cavalry campaign in East Tennessee and expeditions into Northern Mississippi, and for gallant daring and good conduct at the battle of Brice's Cross-Roads, Miss., to date from March 13, 1865.

R. Bruce Ricketts, late major of the First Regiment Pennsylvania Reserve Artillery, for gallant and meritorious services during the recent rebellion, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *July 23d*, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be majors by brevet.

Henry S. Taft, late captain of the Signal Corps, for gallant and meritorious services at the battles of Port Royal Ferry and James' Island, South Carolina, to date from March 13, 1865.

E. J. Meeker, late captain of the Signal Corps, for faithful and meritorious services during the war, to date from March 13, 1865.

Paul Babcock, jr., late captain of the Signal Corps, for faithful and meritorious services during the war, to date from March 13, 1865.

James S. Hall, late captain of the Signal Corps, for gallant and meritorious services at the battle of Gettysburg, Pennsylvania, to date from March 13, 1865.

E. H. Russell, late captain of the Signal Corps, for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet Captain Amos M. Thayer, late first lieutenant of the Signal Corps, for gallant and meritorious services during the operations resulting in the fall of Richmond, Virginia, and the surrender of the insurgent army under General Robert E. Lee, to date from April 9, 1865.

Brevet Captain J. P. Sampson, late first lieutenant of the Signal Corps, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Captain J. L. Hollopeter, late first lieutenant of the Signal Corps, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Captain A. B. Capron, late first lieutenant of the Signal Corps, for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet Captain Charles F. Cross, late first lieutenant of the Signal Corps, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Captain Paul Brodie, late first lieutenant of the Signal Corps, for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet Captain William H. Sherfy, late first lieutenant of the Signal Corps, for gallant and meritorious services during the campaign through Georgia and the Carolinas, to date from March 13, 1865.

Brevet Captain E. A. Denicke, late first lieutenant of the Signal Corps, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Captain N. H. Camp, late first lieutenant of the Signal Corps, for gallant and meritorious services at the battle of Gettysburg, Pennsylvania, to date from March 13, 1865.

Brevet Captain John E. Holland, late first lieutenant of the Signal Corps, for faithful and meritorious services during the war, to date from March 13, 1865.

William C. Rawolle, late captain and additional aide-de-camp, for gallant and meritorious services in the Army of the Potomac, from August, 1862, to January, 1863, including the battles of Second Bull Run, South Mountain, Antietam, Warrenton, Sulphur Springs, and Fredericksburg, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *July* 23, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be captains by brevet.

Valentine M. Hodgson, late first lieutenant of the Twenty-first Regiment Veteran Reserve Corps, for gallant and meritorious services in the battle of Malvern Hill, Virginia, to date from March 13, 1865.

William H. Sherfy, late first lieutenant of the Signal Corps, for gallant and meritorious services at the battle before Atlanta, Ga., to date from March 13, 1865.

E. A. Denicke, late first lieutenant of the Signal Corps, for gallant and meritorious services during the operations against Mobile, Ala., to date from March 13, 1865.

N. H. Camp, late first lieutenant of the Signal Corps, for gallant and meritorious services at the battles of South Mountain and Antietam, Md., to date from March 13, 1865.

John E. Holland, late first lieutenant of the Signal Corps, for gallant and meritorious services during the campaign of the Army of the Potomac, commencing with the crossing of the Rapidan May 4, 1864, and ending with the assault on the enemy's position in front of Petersburg, Va., July 30, 1864, to date from March 13, 1865.

William F. Warren, late first lieutenant of the Signal Corps, for gallant and meritorious services during the war, to date from March 13, 1865.

Theodore C. Vidal, late first lieutenant of the Signal Corps, for gallant and meritorious services before Fort Wagner and in the batteries on Morris Island, S. C., to date from March 13, 1865.

S. B. Partridge, late first lieutenant of the Signal Corps, for gallant and meritorious services during the war, to date from March 13, 1865.

Joseph B. Knox, late first lieutenant of the Signal Corps, for faithful and meritorious services during the war, to date from March 13, 1865.

Townsend L. Hatfield, late first lieutenant of the Signal Corps, for gallant and meritorious services before Fort Wagner and in the batteries on Morris Island, S. C., to date from March 13, 1865.

William H Hill, late first lieutenant of the Signal Corps, for gallant and meritorious services during the war, to date from March 13, 1865.

George A. Fisher, late first lieutenant of the Signal Corps, for faithful and meritorious services during the war, to date from March 13, 1865.

Wilson Bruyn, late first lieutenant of the Signal Corps, for gallant and meritorious services before Fort Wagner and in the batteries on Morris Island, S. C., to date from March 13, 1865.

William S. Andrews, late first lieutenant of the Signal Corps, for faithful and meritorious services during the war, to date from March 13, 1865.

Thomas S. Seabury, late first lieutenant of the Signal Corps, for faithful and meritorious services during the war, to date from March 13, 1865.

Thomas P. Rushby, late first lieutenant of the Signal Corps, for faithful and meritorious services during the war, to date from March 13, 1865.

Charles C. T. Keith, late first lieutenant of the Signal Corps, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet First Lieutenant Julius M. Swain, late second lieutenant of the Signal Corps, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet First Lieutenant Edgar Ketchum, late second lieutenant of the Signal Corps, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet First Lieutenant Oscar B. Ireland, late second lieutenant of the Signal Corps, for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet First Lieutenant J. L. Hallett, late second lieutenant of the Signal Corps, for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet First Lieutenant Charles Herzog, late second lieutenant of the Signal Corps, for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet First Lieutenant Henry R. Flook, late second lieutenant of the Signal Corps, for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet First Lieutenant James H. Connelly, late second lieutenant of the Signal Corps, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet First Lieutenant E. A. Briggs, late second lieutenant of the Signal Corps, for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet First Lieutenant Frederick J. Amsden, late second lieutenant of the Signal Corps, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet First Lieutenant Edward L. Halsted, late second lieutenant of the Signal Corps, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet First Lieutenant Frederick E. Beardslee, late second lieutenant of the Signal Corps, for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet First Lieutenant William A. Pigman, late second lieutenant of the Signal Corps, for faithful and meritorious services during war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *July* 22, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be first lieutenants by brevet.

Julius M. Swain, late second lieutenant of the Signal Corps, for gallant and meritorious services during the operation against Richmond, Virginia, to date from March 13, 1865.

Edgar Ketchum, late second lieutenant of the Signal Corps, for gallant and meritorious services at the capture of Fort Fisher, N. C., to date from March 13, 1865.

Oscar B. Ireland, late second lieutenant of the Signal Corps, for gallant and meritorious services during the operations against Richmond, Va., to date from March 13, 1865.

J. L. Hallett, late second lieutenant of the Signal Corps, for gallant and meritorious services during the operations against Port Hudson, La., to date from March 13, 1865.

Henry R. Flook, late second lieutenant of the Signal Corps, for gallant and meritorious services in action at Adairsville, Georgia, to date from March 13, 1865.

James H. Connelly, late second lieutenant of the Signal Corps, for gallant and meritorious services at the battle of Alatoona, Georgia, to date from March 13, 1865.

Frederick J. Amsden, late second lieutenant of the Signal Corps, for gallantly maintaining his position under great exposure, on James River Signal Tower while his station was for some time deliberately cannonaded by rebel batteries, to date from March 13, 1865.

Edward L. Halsted, late second lieutenant of the Signal Corps, for gallant and meritorious services at the battle of Winchester, Va., to date from March 13, 1865.

Frederick E. Beardslee, late second lieutenant of the Signal Corps, for gallant and meritorious services at the capture of Fort Fisher, N. C., to date from March 13, 1865.

William M. Pigman, late second lieutenant of the Signal Corps, for gallant and meritorious services at the battle of Sabine Cross-Roads, La., to date from March 13, 1865.

James B. Duff, late second lieutenant of the Signal Corps, for gallant and meritorious services during the campaign commencing with the crossing of the Rapidan and ending with the assault on the enemy's position in front of Petersburg, Va., to date from March 13, 1865.

George F. Young, late second lieutenant of the Signal Corps, for faithful and meritorious services during the war, to date from March 13, 1865.

Charles Weihl, late second lieutenant of the Signal Corps, for faithful and meritorious services during the war, to date from March 13, 1865.

Frank N. Wicker, late second lieutenant of the Signal Corps, for gallant and meritorious services during the war, to date from March 13, 1865.

Samuel N. Rogers, late second lieutenant of the Signal Corps, for faithful and meritorious services during the war, to date from March 13, 1865.

Preston Carpenter, late second lieutenant of the Signal Corps, for faithful and meritorious services during the war, to date from March 13, 1865.

John C. Abbott, late second lieutenant of the Signal Corps, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *July* 23, 1868.

To the Senate of the United States:

I nominate the person herein named for appointment by brevet in the Volunteer force:

To be major-general by brevet.

Charles E. Hovey, late brigadier-general of Volunteers, for gallant and meritorious conduct in battle, particularly at Arkansas Post, January 11, 1863, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *July* 24, 1868.

To the Senate of the United States:

I nominate Samuel A. Manlove, of Kansas, to be agent for the Osage and other Indians, vice George C. Snow, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 24, 1868.

The messages were read.

Ordered, That the nomination of James F. Armstrong be referred to the Committee on Naval Affairs.

Ordered, That the nominations of Benjamin Gerrish, jr., and Robert A. Crawford be referred to the Committee on Commerce.

Ordered, That the nomination of Richard H. Marsh be referred to the Committee on the District of Columbia.

Ordered, That the nomination of Mary Rockafellar be referred to the Committee on Post-Offices and Post-Roads.

Ordered, That the nominations of E. D. Webster and Neilson Poe be referred to the Committee on Finance.

Ordered, That the nominations of T. Lyle Dickey and J. Hubley Ashton be referred to the Committee on the Judiciary.

Ordered, That the nominations of Charles L. Snow, James H. Rice, and others, John S. Loud and others, Ebenezer Swift, R. Bruce Ricketts, Wm. W. Clemens, Samuel Bachtell, and others, Henry S. Taft and others, Valentine M. Hodgson and others, Julius M. Swain and others, Joseph P. Balch, and Charles E. Hovey be referred to the Committee on Military Affairs and the Militia.

Ordered, That the nomination of Samuel A. Manlove be referred to the Committee on Indian Affairs.

Mr. Pomeroy, from the Committee on Public Lands, to whom was referred, the 12th of March last, the nomination of W. R. R. Wyatt, reported adversely thereon.

Mr. Pomeroy, from the Committee on Public Lands, to whom was referred, the 21st instant, the nomination of Ira H. Smith, reported favorably thereon.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom were referred, the 18th instant, the nominations of Wm. H. Polk and Jacob P. Sticke, the 21st instant the nomination of Thomas H. Slingsby, the 23d instant the nomination of Roswell G. Pettibone, and this day the nomination of Mary Rockafellar, reported favorably thereon.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 24th of February last, the nomination of James W. McDonough, reported adversely thereon.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 20th of December last, the nomination of Henry

V. Colt, and the 28th of January last the nomination of Beale A. Warfield, reported the same with the recommendation that they lie on the table.

Mr. Chandler, from the Committee on Commerce, to whom was referred, the 23d instant, the nomination of Alvin Hawkins, and this day the nomination of Benjamin Gerrish, reported favorably thereon.

Mr. Sherman, from the Committee on Finance, to whom was referred, the 23d instant, the nomination of William Selden, reported favorably thereon.

Mr. Williams, from the Committee on Finance, to whom was referred the 20th of June last, the nomination of John L. Treanor, reported favorably thereon.

Mr. Stewart, from the Committee on Public Lands, to whom were referred, the 23d instant, the nominations of John A. Clarke, Lewis S. Hill, and Courtland C. Clements, reported favorably thereon.

Mr. Stewart, from the Committee on Public Lands, to whom were referred, the 13th instant, the nominations of Oscar Buckalew and Robert F. Piatt, reported the same with the recommendation that they lie on the table.

Mr. Patterson, of New Hampshire, from the Committee on the District of Columbia, to whom was referred, the 12th of March last, the nomination of Arthur Shepherd, reported favorably thereon.

Mr. Cragin, from the Committee on the District of Columbia, to whom was referred, the 4th of December last, the nomination of John H. Goddard, the 28 of January the nomination of Charles Walter, the 5th of February the nomination of Charles P. Warnall, and the 4th of March that of Samuel T. Crown, reported favorably thereon.

Mr. Cragin, from the Committee on the District of Columbia, to whom was referred, the 9th of December, the nomination of Michael P. Callan, the 8th of January the nomination of Nicholas Callan, the 5th of February the nomination of James Cull, the 24th of February the nomination of Henry Lyles, the 6th of March the nomination of James R. Roche, and the 8th of April the nomination of John W. Barnaclo, reported the same with the recommendation that they lie on the table.

Mr. Sprague, from the Committee on Commerce, to whom were referred, the 23d instant, the nominations of Reuben P. Harmon, Levi Howland Coit, Matthew Meigs, and Charles Peters, reported favorably thereon.

Mr. Wilson, from the Committee on Military Affairs and the Militia, to whom was recommitted, the 23d of June, and to whom were referred this day the nominations of Charles L. Snow, James H. Rice, John S. Lord, and others, Ebenezer Swift, R. Bruce Ricketts, Wm. W. Clemens and others, Samuel Bachtell and others, Henry S. Taft and others, Valentine M. Hodgson and others, Julius M. Swain and others, Joseph P. Balch, and Charles E. Hovey, reported favorably thereon.

The Senate resumed, as in Committee of the Whole, the consideration of the treaty between the United States and His Majesty the King of the Hawaiian Islands, concluded at the city of San Francisco the 21st of May, 1867.

On motion by Mr. Sumner to amend Article IV of the treaty by inserting after the words Hawaiian Islands, where they occur the second time, the following: *Such assent having been given*,

After debate,

On motion by Mr. Morrill, of Vt., that the treaty lie on the table,

It was determined in the affirmative, { Yeas 30
Nays 21

On motion by Mr. Sprague,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Abbott, Anthony, Buckalew, Cameron, Cattell, Chandler, Conkling, Davis, Ferry, Fessenden, Fowler, Frelinghuysen, Harris, Henderson, Hendricks, Howard, Howe, Kellogg, Morgan, Morrill of Vt., Osborn, Ross, Sawyer, Sherman, Sprague, Tipton, Vickers, Whyte, Willey, Wilson.

Those who voted in the negative are,

Messrs. Cole, Conness, Corbett, Doolittle, Drake, McCreery, McDonald, Nye, Patterson of N. H., Patterson of Tenn., Pomeroy, Ramsey, Rice, Stewart, Sumner, Thayer, Trumbull, Wade, Welch, Williams, Yates.

So it was ordered that the treaty lie on the table.

The Senate resumed, as in Committee of the Whole, the consideration of the additional articles to the treaty between the United States of America and His Majesty the Emperor of China of the 18th of June, 1858, signed in the city of Washington, D. C., the 4th of July, 1868.

On the question to agree to the following amendment, reported by the Committee on Foreign Relations to the 5th article, viz: After the words "United States," where they occur the second time, insert *or Chinese subjects*,

It was determined in the affirmative.

On the question to agree to the following amendment, reported by the Committee on Foreign Relations to the 5th article, viz: After the words "Chinese subjects" insert *or citizens of the United States*,

It was determined in the affirmative.

On the question to agree to the amendment reported by the Committee on Foreign Relations, viz: Strike out the 8th article in the following words: "The United States freely agree that Chinese subjects shall, without hindrance on account of their nationality or religion, be admitted to all schools, colleges, and other public educational institutions without being subject to any religious or political test. And, on the other hand, His Majesty the Emperor of China agrees that citizens of the United States may freely establish and maintain schools in that Empire at those places where foreigners are by treaty permitted to reside," and insert in lieu thereof the following words:

Citizens of the United States shall enjoy all the privileges of the public educational institutions under the control of the Government of China, and reciprocally Chinese subjects shall enjoy all the privileges of the public educational institutions under the control of the Government of the United States which are enjoyed in the respective countries by the citizens or subjects of the most favored nation.

The citizens of the United States may freely establish and maintain schools within the Empire of China at those places where foreigners are by treaty permitted to reside, and reciprocally Chinese subjects may enjoy the same privileges and immunities in the United States.

It was determined in the affirmative.

On motion by Mr. Conness, to amend the treaty by inserting at the end of article 6 the following words, viz: *But nothing herein contained shall be held to confer naturalization upon citizens of the United States in China nor upon the subjects of China in the United States*,

It was determined in the affirmative.

On motion by Mr. Morgan, to amend the treaty by striking out the 7th article in the following words, viz: "The United States and the Emperor of China, recognizing in the present progress of nations a favorable tendency towards a unity of civilization, and regarding a unity

of money and a unity of weights and of measures as favorable to that great object, do hereby agree that they will use their influence and efforts to obtain the establishment, by the general agreement of nations, of representative coins having a common value, and also a common standard of weights and measures for all countries."

It was determined in the affirmative.

No further amendment being made to the treaty, it was reported to the Senate, and the amendments made in Committee of the Whole were concurred in; and no further amendment being proposed to the treaty, Mr. Sumner submitted the following resolution for consideration:

Resolved (*two-thirds of the Senators present concurring,*) That the Senate advise and consent to the ratification of the additional articles to the treaty between the United States and His Majesty the Emperor of China of the 18th of June, 1858, signed in the city of Washington, D. C., the 4th day of July, 1868, with the following amendments:

Article 5. After the words "United States," where they occur the second time, insert *or Chinese subjects.*

Same article. After the words "Chinese subjects" insert *or citizens of the United States.*

At the end of article 6 insert *But nothing herein contained shall be held to confer naturalization upon citizens of the United States in China nor upon the subjects of China in the United States.*

Strike out all of article 7 in the following words: "The United States and the Emperor of China, recognizing in the present progress of nations a favorable tendency toward a unity of civilization, and regarding a unity of money and a unity of weights and of measures as favorable to that great object, do hereby agree that they will use their influence and efforts to obtain the establishment, by the general agreement of nations, of representative coins having a common value, and also a common standard of weights and measures for all countries."

Strike out article 8 in the following words: "The United States freely agree that Chinese subjects shall, without hindrance on account of their nationality or religion, be admitted to all schools, colleges, and other public educational institutions without being subject to any religious or political test. And, on the other hand, His Majesty the Emperor of China agrees that citizens of the United States may freely establish and maintain schools in that Empire at those places where foreigners are by treaty permitted to reside," and insert in lieu thereof as follows:

Citizens of the United States shall enjoy all the privileges of the public educational institutions under the control of the Government of China, and reciprocally Chinese subjects shall enjoy all the privileges of the public educational institutions under the control of the Government of the United States which are enjoyed in the respective countries by the citizens or subjects of the most favored nation.

The citizens of the United States may freely establish and maintain schools within the Empire of China at those places where foreigners are by treaty permitted to reside, and reciprocally Chinese subjects may enjoy the same privileges and immunities in the United States.

The Senate, by unanimous consent, proceeded to consider the said resolution; and on the question to agree thereto.

It was determined unanimously in the affirmative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

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SATURDAY, JULY 25, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Warren Ackly, of Nevada, to be receiver of public moneys for the district of lands subject to sale at Aurora, Nevada.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate J. H. Van Dyke, of Minnesota, to be receiver of public moneys for the district of lands subject to sale at Alexandria, Minnesota.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate Wm. I. Cullen, of Montana, to be superintendent of Indian affairs for the Territories of Idaho and Montana.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate E. F. Mitchell, of Nevada, to be register of the land office at Aurora, Nevada.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate Jacob W. Caldwell to be register of the land office for the land district of Wyoming Territory.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate Lewis Lewiston, of Minnesota, to be register of the land office at Alexandria, Minnesota.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate James L. Robbins to be deputy postmaster at Penn Yan, in the county of Yates and State of New York, in place of James L. Robbins, rejected.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate Holland Smith to be deputy postmaster at San Francisco, in the county of San Francisco and State of California, in place of Richard Sinton, rejected by the Senate.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate William Gibby to be deputy postmaster at Rahway, in the county of Union and State of New Jersey, in place of J. B. Oliver, who neglects to give new bond as required.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate Percy B. Spear to be collector of internal revenue 7th district of Pennsylvania, vice Wm. M. Swayne to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *July 24th*, 1868.

To the Senate of the United States:

I nominate Hoadley B. Ives to be collector of internal revenue for the second district of Connecticut, in place of John Woodruff, dec'd.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate Assistant Paymaster Wm. J. Healy to be a passed assistant paymaster in the Navy, from the 19th of July, 1868, vice Passed Assistant Paymaster E. M. Hart, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., 25 *July*, 1868.

To the Senate of the United States:

In accordance with the joint resolution of Congress approved 23d July, 1868, I nominate Commander Aaron K. Hughes, now on the retired list, to be a commander in the Navy on the active list, from the 24th of September, 1862, and to take rank next after Commander J. B. Creighton.

ANDREW JOHNSON.

WASHINGTON, CITY, *July* 25, 1868.

To the Senate of the United States:

I nominate A. S. Paddock, of Nebraska, to be governor of the Territory of Wyoming.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate Omar F. Roberts, of Indiana, to be secretary of the Territory of Wyoming.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868

To the Senate of the United States:

I nominate H. G. Worthington, of Nevada, now minister resident to the Argentine Republic, to be minister resident of the United States to the Republic of Urugnay, vice Alexander Asboth, deceased.

ANDREW JOHNSON.

WASHINGTON, 25*th July*, 1868.

To the Senate of the United States:

I nominate Francis A. Perkins, of Connecticut, to be consul of the United States at Tahiti, vice Joseph Vandor, recalled.

ANDREW JOHNSON.

WASHINGTON, 25 *July*, 1868.

To the Senate of the United States:

I nominate the officers herein named for promotion in the Army of the United States:

Second Regiment of Cavalry.

Second Lieutenant Charles B. Stambaugh to be first lieutenant, July 5, 1868, vice Allen, resigned.

Third Regiment of Cavalry.

First Lieutenant Deane Monohan to be captain, July 9, 1868, vice Falvey, cashiered.

Fifth Regiment of Cavalry.

Second Lieutenant Amos Webster to be first lieutenant, July 20, 1868, vice Williams, retired.

Third Regiment of Artillery.

Second Lieutenant Francis L. Hills to be first lieutenant, July 9, 1868, vice Pendleton, whose restoration has been rejected by the Senate.

Fourth Regiment of Infantry.

Lieutenant Colonel Franklin F. Flint, of the Seventh Infantry, to be colonel, July 8, 1868, vice Casey, retired.

Seventh Regiment of Infantry.

Major Charles C. Gilbert, of the Twenty-eighth Infantry, to be lieutenant-colonel, July 8, 1868, vice Flint, promoted to the Fourth Infantry.

Eighteenth Regiment of Infantry.

First Lieutenant Thomas L. Brent to be captain, July 11, 1868, vice McCleery, resigned.

Second Lieutenant Henry E. Luther to be first lieutenant, June 14, 1868, vice Bell, deceased.

Twenty-third Regiment of Infantry.

First Lieutenant Azor H. Nickerson to be captain, July 8, 1868, vice Ross, promoted to the Twenty-eighth Infantry.

Twenty-fourth Regiment of Infantry.

First Lieutenant George Haller to be captain, July 16, 1868, vice Scott, deceased.

Second Lieutenant William O. Cory to be first lieutenant, July 16, 1868, vice Haller, promoted.

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Twenty-fifth Regiment of Infantry.

First Lieutenant David Parkinson to be captain, June 22, 1868, vice Townsend, promoted to the Twenty-seventh Infantry.

Twenty-sixth Regiment of Infantry.

Second Lieutenant Charles F. Roe to be first lieutenant, June 10, 1868, vice Plummer, promoted.

Twenty-seventh Regiment of Infantry.

Captain Edwin F. Townsend, of the Twenty-fifth Infantry, to be major, June 22, 1868, vice Smith, deceased.

Twenty eighth Regiment of Infantry.

Captain Samuel Ross, of the Twenty-third Infantry, to be major, July 8, 1868, vice Gilbert, promoted to the Seventh Infantry.

Thirty-first Regiment of Infantry.

First Lieutenant Stevens T. Norvell to be captain, June 10, 1868, vice Powell, deceased.

Second Lieutenant George Mitchell to be first lieutenant, June 10, 1868, vice Norvell, promoted.

Thirty-seventh Regiment of Infantry.

Second Lieutenant Francis B. Jones to be first lieutenant, July 21, 1868, vice Coffman, retired.

Thirty-ninth Regiment of Infantry.

First Lieutenant George Baldy to be captain, July 20, 1868, vice Robins, resigned.

Second Lieutenant George S. Grimes to be first lieutenant, July 20, 1868, vice Baldy, promoted.

Forty-fifth Regiment of Infantry.

Second Lieutenant Paul R. Hambrick to be first lieutenant, June 29, 1868, vice Skelton, dismissed.

Transfers.

Second Lieutenant Robert W. Webb, of the Fortieth Infantry, to the Forty-first Infantry, November 27, 1867.

Second Lieutenant Forrest H. Hathaway, of the Forty-first Infantry, to the Fortieth Infantry, November 27, 1867.

ANDREW JOHNSON.

WASHINGTON, *July* 23, 1868.

To the Senate of the United States:

I nominate Luther B. Wilson to be Second Auditor of the Treasury, in place of E. B. French, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate Dorsey B. Thomas to be collector of customs for the district of New Orleans, in the State of Louisiana.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate Lloyd D. Waddell to be be assessor of internal revenue 1st district of Georgia, in place of Charles H. Hopkins, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate H. L. Brown to be marshal of the United States for the western district of Pennsylvania, in place of Thomas A. Rowley, removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate J. S. Johnson to be collector of internal revenue for the third district of Louisiana, in place of Eugene Tisdale, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *July 25th*, 1868.

To the Senate of the United States:

I nominate Charles C. Wilson, of Illinois, to be chief justice of the Supreme Court of the Territory of Utah.

ANDREW JOHNSON.

WASHINGTON, D. C., *July 25th*, 1868.

To the Senate of the United States:

I nominate James E. Tewell to be assessor of internal revenue for the third district of Louisiana, in place of Augustus W. Norcross, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *July 25th*, 1868.

To the Senate of the United States:

I nominate A. P. Turner to be postmaster at Idaho City, Boise County, and Territory of Idaho, in place of James A. Pinney.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate Harvey Adams to be deputy postmaster at Lancaster, in the county of Coos and State of New Hampshire, the office having become Presidential, in place of Oliver Nutter, removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate H. L. Stephens to be deputy postmaster at Honesdale, in the county of Wayne and State of Pennsylvania, in place of Robert A. Smith, whose commission expired 18th January, 1868.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate W. H. Lentz to be deputy postmaster at Petaluma, in the county of Sonoma and State of California, in place of J. T. Huie, rejected by the Senate.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate John W. Smith to be collector of internal revenue for the first district of Arkansas.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate Charles W. Champlin to be postmaster at Waterloo, Black Hawk County, Iowa, in place of H. B. Shaw, rejected by the Senate.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate Thomas C. Allen to be postmaster at Indianola, Calhoun County, Texas, in place of Wm. Ohlen, rejected.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate Stephen Coburn to be deputy postmaster at Skowhegan, in the county of Somerset and State of Maine, in place of Joseph H. Philbrick.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate M. W. Wilcox to be deputy postmaster at Mattoon, in the county of Coles and State of Illinois, in place of A. R. Wallace, rejected by the Senate.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate Isaac W. Webster to be deputy postmaster at Kenosha, in the county of Kenosha and State of Wisconsin, in place of Frederick S. Lovell, removed—defaulter.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate Charles M. Alexander to be deputy postmaster at the city of Washington, in the District of Columbia, to fill vacancy.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate Jacob H. Meech to be assessor of internal revenue for the 13th district of New York, in place of Frederick Cooke, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate Alexander Cummings, of Pennsylvania, to be Commissioner of Internal Revenue, vice E. A. Rollins.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate D. H. Stanton to be assessor of internal revenue for the 17th district of New York, to fill the vacancy caused by the death of Uriah D. Meeker.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate Simeon M. Johnson to be assistant secretary of the Treasury, to fill the vacancy caused by the resignation of William E. Chandler.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate George J. Stubblefield to be attorney of the United States for the middle district of Tennessee, vice H. H. Harrison, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate William H. Wisner, of Tennessee, to be collector of customs for the district of New Orleans, in the State of Louisiana.

ANDREW JOHNSON.

WASHINGTON, D. C., *July 25th*, 1868.

To the Senate of the United States:

I nominate Zephaniah S. Spalding, of Ohio, to be consul of the United States at Honolulu, in place of Morgan L. Smith, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate James Davis to be deputy postmaster at Memphis, Shelby County, Tennessee, vice R. C. Gist, whose commission has expired.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate William S. Rosecrans, of Ohio, to be envoy extraordinary and minister plenipotentiary to Mexico, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

I nominate Fletcher P. Cuppy to be register of deeds for the District of Columbia, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

In compliance with the request of the Senate of this date, I return herewith its resolution advising and consenting to the appointment of William Selden to be collector of internal revenue for the second district of Virginia.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

In compliance with the request of the Senate of this date, I return herewith its resolution advising and consenting to the appointment of William B. Storm, of New York, to be consul of the United States at Leeds.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

The messages were read.

Ordered, That the nominations of George A. Hawley, Warren Ackley, I. H. Vandyke, E. F. Mitchell, Jacob W. Caldwell, Lewis Lewiston, Hiram Latham, Benjamin C. Cutler, and Alexander L. Buffington be referred to the Committee on Public Lands.

Ordered, That the nomination of Wm. J. Cullen be referred to the Committee on Indian Affairs.

Ordered, That the nominations of James L. Robbins, Howland Smith, William Gibby, A. P. Turner, Harvey Adams, H. L. Stephens, W. H. Lentz, Charles W. Champlin, Thomas C. Allen, Stephen Coburn, M. W. Wilcox, Isaac W. Webster, Charles M. Alexander, and James Davis be referred to the Committee on Post-Offices and Post-Roads.

Ordered, That the nominations of Percy B. Spear, Hoadley Ives, Luther B. Wilcox, Lloyd D. Waddell, J. L. Johnson, James E. Tewell, John W. Smith, Jacob H. Meech, Simeon M. Johnson, Alexander Cummings, and D. H. Stanton be referred to the Committee on Finance.

Ordered, That the nominations of Wm. J. Healy and A. Hughes be referred to the Committee on Naval Affairs.

Ordered, That the nominations of A. S. Paddock and Omar F. Roberts be referred to the Committee on Territories.

Ordered, That the nominations of H. G. Worthington and William S. Rosecrans be referred to the Committee on Foreign Relations.

Ordered, That the nominations of Francis A. Perkins, Dorsey B. Thomas, Wm. H. Wisner, and Zephaniah S. Spaulding be referred to the Committee on Commerce.

Ordered, That the nomination of Chs. B. Stumbaugh and others be referred to the Committee on Military Affairs and the Militia.

Ordered, That the nominations of H. L. Brown, Charles C. Wilson, and George J. Stubblefield be referred to the Committee on the Judiciary.

Ordered, That the nomination of Fletcher P. Cuppy be referred to the Committee on the District of Columbia.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 18th instant, the nomination of Henry P. Hay, the 23d in-

stant the nomination of Jacob B. Blair, and this day that of H. G. Worthington, reported favorably thereon.

Mr. Chandler, from the Committee on Commerce, to whom was referred, the 24th instant, the nomination of Robert A. Crawford, and this day the nominations of Francis A. Perkins and Zephaniah S. Spaulding, reported favorably thereon.

Mr. Chandler, from the Committee on Commerce, to whom were referred, this day, the nominations of Dorsey B. Thomas and William H. Wisner, reported adversely thereon.

Mr. Sherman, from the Committee on Finance, to whom was referred, the 18th instant, the nomination of Clark H. Green, the 24th instant that of Neilson Poe, and this day the nominations of J. S. Johnson, James E. Tewell, and Simeon M. Johnson, reported adversely thereon.

Mr. Sherman, from the Committee on Finance, to whom was referred, the 23d instant, the nomination of James Marr, reported favorably thereon.

Mr. Sherman, from the Committee on Finance, to whom was referred, the 23d instant, the nomination of Noah L. Jeffries, reported the same with no recommendation.

Mr. Sherman, from the Committee on Finance, to whom was referred, this day, the nomination of Luther B. Wilson, reported the same with the recommendation that it lie on the table.

Mr. Henderson, from the Committee on Indian Affairs, to whom was referred, the 24th instant, the nomination of Samuel A. Manlove, reported adversely thereon.

Mr. Henderson, from the Committee on Finance, to whom was referred, this day, the nomination of Percy B. Spear, reported favorably thereon.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom were referred, this day, the nominations of Stephen Coburn and M. W. Wilcox, reported favorably thereon.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom were referred, this day, the nominations of James L. Robbins, Harvey Adams, H. L. Stephens, and Isaac W. Webster, reported adversely thereon.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 18th instant, the nomination of David H. Johnson, reported the same with the recommendation that it lie on the table.

Mr. Yates, from the Committee on Territories, to whom was referred, the 23d instant, the nomination of William F. Pidgeon, and this day the nominations of A. S. Paddock and Omar F. Roberts, reported adversely thereon.

Mr. Harlan, from the Committee on the District of Columbia, to whom was referred, the 24th instant, the nomination of Richard H. Marsh, and this day that of Fletcher P. Cuppy, reported favorably thereon.

Mr. Frelinghuysen, from the Committee on the Judiciary, to whom were referred, the 24th instant, the nominations of T. Lyle Dickey and J. Hubley Ashton, reported favorably thereon.

Mr. Conners, from the Committee on Post-Offices and Post-Roads, to whom were referred, this day, the nominations of Holland Smith and W. H. Lentz, reported favorably thereon.

Mr. Morgan, from the Committee on Commerce, to whom was referred, the 21st instant, the nomination of Thomas Parsons, reported favorably thereon.

Mr. Morgan, from the Committee on Finance, to whom was referred, the 24th instant, the nomination of Erastus D. Webster, and this day the nomination of Hoadley B. Ives, reported favorably thereon.

Mr. Anthony, from the Committee on Naval Affairs, to whom were referred, this day, the nominations of Wm. J. Healy and Aaron K. Hughes, reported favorably thereon.

Mr. Pomeroy, from the Committee on Public Lands, to whom were referred, this day, the nominations of Jacob W. Caldwell, Benjamin C. Cutler, and Alexander L. Buffington, reported favorably thereon.

Mr Wilson, from the Committee on Military Affairs, to whom were referred, this day, the nominations of Charles B. Stambaugh and others, reported favorably thereon.

Mr. Stewart, from the Committee on Public Lands, to whom was referred, the 9th instant, the nomination of Tubman Ayres, and this day the nominations of Warren Ackley, J. H. Van Dyke, E. F. Mitchell, and Lewis Lewiston, reported favorably thereon.

Mr. Conkling, from the Committee on the Judiciary, to whom was referred, the 2d of June last, the nomination of Edward Dodd, and this day the nomination of Charles C. Wilson, reported favorably thereon.

Mr. Conkling, from the Committee on the Judiciary, to whom was referred, this day, the nomination of H. L. Brown, reported the same with the recommendation that it lie on the table.

Mr. Corbett, from the Committee on Indian Affairs, to whom was referred, this day, the nomination of William J. Cullen, reported the same with the recommendation that it lie on the table.

Mr. Morrill, of Maine, from the Committee on Commerce, to whom was referred, the 23rd of June last, the nomination of Jos. M. Simms, reported favorably thereon.

The Senate proceeded to consider the nomination of Isaac L. Gibbs; and

On the question, Will the Senate advise and consent to the appointment of Isaac L. Gibbs?

On motion by Mr. Williams that the said nomination lie on the table,

It was determined in the affirmative, { Yeas..... 22
Nays..... 19

On motion by Mr. Williams,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Cameron, Cole, Conkling, Conness, Corbett, Cragin, Drake, Ferry, Harris, Henderson, Howe, Morrill of Me., Ramsey, Rice, Sawyer, Sherman, Sprague, Sumner, Van Winkle, Willey, Williams, Wilson.

Those who voted in the negative are,

Messrs. Buckalew, Cattell, Chandler, Davis, Fowler, Hendricks, Kellogg, McCreery, McDonald, Osborn, Patterson of Tenn., Ross, Thayer, Tipton, Trumbull, Wade, Welch, Whyte, Yates.

So it was

Ordered, That the said nomination lie on the table.

The Senate proceeded to consider the nomination of John L. Dawson; and,

On the question, Will the Senate advise and consent to the appointment of John L. Dawson?

It was determined in the negative, { Yeas..... 20
Nays..... 26

On motion by Mr. Buckalew,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Anthony, Buckalew, Cameron, Cole, Conness, Corbett, Davis, Doolittle, Ferry, Fessenden, Fowler, Frelinghuysen, Henderson, McCreery, Patterson of Tenn., Ross, Trumbull, Van Winkle, Whyte, Willey.

Those who voted in the negative are,

Messrs. Abbott, Cattell, Chandler, Conkling, Drake, Harlan, Harris, Howe, Kellogg, McDonald, Morgan, Morrill of Me., Nye, Osborn, Patterson of N. H., Rice, Sherman, Sprague, Stewart, Sumner, Thayer, Wade, Welch, Williams, Wilson, Yates.

So it was

Resolved, That the Senate do not advise and consent to the appointment of John L. Dawson.

The Senate proceeded to consider the nomination of John A. McClernand; and,

On the question, Will the Senate advise and consent to the appointment of John A. McClernand?

It was determined in the negative, { Yeas..... 9
{ Nays 38

On motion by Mr. Doolittle,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Buckalew, Davis, Doolittle, Fowler, McCreery, Patterson of Tenn., Trumbull, Whyte, Yates.

Those who voted in the negative are,

Messrs. Anthony, Cameron, Cattell, Chandler, Cole, Conkling, Conness, Cragin, Drake, Ferry, Fessenden, Frelinghuysen, Harlan, Harris, Henderson, Howe, McDonald, Morgan, Morrill of Me., Nye, Osborn, Patterson of N. H., Pomeroy, Ramsey, Rice, Ross, Sherman, Sprague, Stewart, Sumner, Thayer, Tipton, Van Winkle, Wade, Welch, Willey, Williams, Wilson.

So it was

Resolved, That the Senate do not advise and consent to the appointment of John A. McClernand.

The Senate proceeded to consider the nomination of J. J. Noah; and

On the question, Will the Senate advise and consent to the appointment of J. J. Noah?

It was determined in the negative, { Yeas..... 14
{ Nays..... 29

On motion by Mr. Sumner,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Abbott, Buckalew, Cameron, Davis, Fessenden, Fowler, Hendricks, McCreery, McDonald, Patterson of Tenn., Ramsey, Rice, Van Winkle, Whyte.

Those who voted in the negative are,

Messrs. Cattell, Chandler, Cole, Conness, Corbett, Cragin, Drake, Ferry, Frelinghuysen, Harlan, Harris, Henderson, Howard, Morgan, Nye, Osborne, Pomeroy, Sawyer, Sprague, Stewart, Sumner, Thayer, Tipton, Wade, Welch, Willey, Williams, Wilson, Yates.

So it was

Resolved, That the Senate do not advise and consent to the appointment of J. J. Noah.

The Senate proceeded to consider the nomination of Charles Peters; and

On on the question, Will the Senate advise and consent to the appointment of Charles Peters?

It was determined in the negative, { Yeas 13
Nays 25

On motion by Mr. Morrill of Maine,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Cattell, Corbett, Doolittle, Fessenden, Fowler, Hendricks, McDonald, Morrill of Me., Pomeroy, Sprague, Van Winkle, Wade, Whyte.

Those who voted in the negative are,

Messrs. Abbott, Buckalew, Cameron, Chandler, Conkling, Conness, Drake, Harlan, Harris, Henderson, Howard, Kellogg, McCreery, Morgan, Osborne, Sawyer, Sumner, Thayer, Tipton, Trumbull, Welch, Willey, Williams, Wilson, Yates.

So it was

Resolved, That the Senate do not advise and consent to the appointment of Chas. Peters.

The Senate proceeded to consider the nominations of Elisha Foot, Christopher C. Cox, Warren T. Lockhart, William B. Storm, Silas H. Axtell, O. H. Burnham, Theodore T. Tidball, Samuel Milligan, Henry M. Watts, Nicholas Quintana, M. M. McCanley, S. Ferguson Beach, Jeremiah Seitzinger, Ira H. Smith, Roswell G. Pettibone, Mary Rockafeller, Jacob P. Stickle, Thomas H. Slingsby, William H. Polk, Alvin Hawkins, William Selden, Benjamin Gerrish, jr., Oscar Buckalew, John A. Clarke, Lewis S. Hills, Courtland C. Clements, Arthur Shephard, Samuel T. Crown, Charles P. Warnall, John H. Goddard, Charles Walter, Levi Howland Coit, Matthew Meigs, Charles L. Snow, James H. Rice and others to be captains by brevet in the U. S. Army; John S. Lord and others to be first lieutenants by brevet in the U. S. Army; Ebenezer Swift, R. Bruce Ricketts, William W. Clemens and others to be majors by brevet in the United States Army; Sam'l Bachtell and others to be colonels by brevet in the Volunteer force; Henry S. Taft and others to be majors by brevet in the Volunteer force; Valentine M. Hodgson and others to be captains by brevet in the Volunteer force; Julius M. Swain and others to be first lieutenants by brevet in the Volunteer force; Joseph P. Balch, E. Hovey, and Robert Morrow; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate proceeded to consider the nominations of William P. Gould, Edwin O. Perrin, Ewing Searight, W. R. R. Wyatt, James W. McDonough, and James R. Roche; and

Resolved, That the Senate do not advise and consent to the appointment of the said persons.

The Senate proceeded to consider the nomination of John P. O'Neil; and,

On motion by Mr. Sherman,

Ordered, That the said nomination lie on the table.

The Senate proceeded to consider the nomination of Wm. E. Wells; and,

On motion by Mr. Ramsey,

Ordered, That the said nomination lie on the table.

The Senate proceeded to consider the nominations of William M. Staffer, Henry V. Colt, Beale A. Warfield, John L. Treanor, Robert F. Platt, James Cull, Michael P. Callan, Nicholas Callan, Henry Lyles, and John W. Barnaclo; and

Ordered, That the said nominations lie on the table.

Mr. Sumner submitted a motion that the Senate reconsider its resolution of this day advising and consenting to the appointment of William B. Storm.

On motion by Mr. Sumner,

Ordered, That the Secretary be directed to request the President of the United States to return to the Senate its resolution of this day advising and consenting to the appointment of William B. Storm.

Mr. Conness submitted a motion that the Senate reconsider its resolution of this day advising and consenting to the appointment of Wm. Selden.

On motion by Mr. Conness,

Ordered, That the Secretary be directed to request the President of the United States to return to the Senate its resolution of this day advising and consenting to the appointment of Wm. Selden.

The Senate proceeded to consider the nominations of Charles N. Felton and Reuben P. Harmon; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate, by unanimous consent, proceeded to consider the nominations of Henry P. Hay, Jacob B. Blair, Robert A. Crawford, J. Hubley Ashton, Holland Smith, Thomas Parsons, Erastus D. Webster, Charles B. Sambaugh, Dean Monahan, Amos Webster, Francis L. Hills, Franklin F Flint, Charles C. Gilbert, Thomas L. Brent, Henry E. Luther, Azor H. Nickerson, George Haller, William O. Cory, David Parkinson, Charles F. Roe, Edwin F. Townsend, Samuel Ross, Stevens T. Norvell, George Mitchell, Francis B. Jones, George Baldy, George S. Grimes, Paul R. Hambrick, Robert W. Webb, Forrest H. Hathaway, Tubman Ayres, Warren Ackley, J. H. Van Dyke, E. F. Mitchell, Lewis Lewiston, Francis A. Perkins, Aaron K. Hughes, H. G. Worthington, Hoadley B. Ives, Benjamin C. Cutler, and Edward Dodd; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate, by unanimous consent, proceeded to consider the nominations of Clark H. Green, Neilson Poe, Richard H. Marsh, and Dorsey B. Thomas; and

Resolved, That the Senate do not advise and consent to the appointment of the said persons.

The Senate, by unanimous consent, proceeded to consider the nomination of James Marr, and

On the question, Will the Senate advise and consent to the appointment of James Marr,

It was determined in the affirmative, { Yeas..... 19
Nays 18

On motion by Mr. Hendricks,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Abbott, Anthony, Buckalew, Cattell, Cole, Doolittle, Fowler, Henderson, Hendricks, Kellogg, McCreery, McDonald, Pomeroy, Sherman, Sprague, Tipton, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Conkling, Conness, Corbett, Cragin, Frelinghuysen, Harlan, Howe, Nye, Osborne, Patterson of N. H., Ramsey, Rice, Stewart, Sumner, Van Winkle, Welch, Williams, Yates.

So it was

Resolved, That the Senate advis · and consent to the appointment of James Marr, agreeably to the nomination.

The Senate, by unanimous consent, proceeded to consider the nomination of Noah L. Jeffries; and

On the question, Will the Senate advise and consent to the appointment of Noah L. Jeffries?

It was determined in the negative, { Yeas 16
Nays 25

On motion by Mr. Hendricks,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Buckalew, Cattell, Corbett, Doolittle, Fessenden, Fowler, Hendricks, McCreery, McDonald, Sherman, Spragne, Van Winkle, Wade, Willey, Williams, Yates.

Those who voted in the negative are,

Messrs. Abbott, Conkling, Conness, Cragin, Drake, Ferry, Frelinghuysen, Harlan, Harris, Henderson, Howe, Kellogg, Morgan, Morrill of Maine, Osborne, Patterson of N. H., Pomeroy, Rice, Sawyer, Stewart, Sumner, Thayer, Trumbull, Welch, Wilson.

So it was

Resolved, That the Senate do not advise and consent to the appointment of Noah L. Jeffries.

The Senate, by unanimous consent, proceeded to consider the nomination of Samuel A. Manlove; and,

On motion by Mr. Pomeroy,

Ordered, That the said nominations lie on the table.

The Senate, by unanimous consent, proceeded to consider the nomination of Jacob W. Caldwell.

On motion by Mr. Stewart,

Ordered That the said nomination lie on the table.

The Senate, by unanimous consent, proceeded to consider the nominations of David H. Johnson and Wm. F. Pidgeon; and,

On motion by Mr. Pomeroy,

Ordered, That the said nominations lie on the table.

Mr. Cole submitted a motion that the Senate reconsider its resolution of this day advising and consenting to the appointment of Holland Smith.

The Senate, by unanimous consent, proceeded to consider the said resolution; and on the question to agree thereto,

It was determined in the affirmative.

The question recurring, Will the Senate advise and consent to the appointment of Holland Smith?

It was determined in the affirmative, { Yeas..... 22
Nays 12

On motion by Mr. Cole,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Abbott, Buckalew, Cameron, Chandler, Conness, Cragin, Davis, Doolittle, Ferry, Harlan, Harris, Kellogg, McCreery, McDonald, Osborne, Patterson of Tenn., Rice, Sawyer, Stewart, Wade, Welch, Yates.

Those who voted in the negative are,

Messrs. Cole, Fowler, Pomeroy, Ross, Spencer, Sprague, Sumner, Thayer, Tipton, Van Winkle, Warner, Willey.

So it was

Resolved, That the Senate advise and consent to the appointment of Holland Smith.

The convention between the United States and the Mexican Republic for the adjustment of claims of citizens of the two Governments, signed in Washington, D. C., on July 4, 1868, was read the second time, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Mr. Sumner submitted the following resolution for consideration:

Resolved (*two-thirds of the Senators present concurring*), That the Senate advise and consent to the ratification of the convention between the United States and the Mexican Republic, for an adjustment of claims of citizens of the two Governments, signed in Washington, D. C., on July 4, 1868.

The Senate, by unanimous consent, proceeded to consider the said resolution; and on the question to agree thereto,

It was determined unanimously in the affirmative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

The convention between the United States and the Mexican Republic, for the purpose of regulating the citizenship of persons who may emigrate from the one country to the other, signed at Washington, D. C., the 10th July, 1868, was read the second time and considered as in Committee of the Whole.

On the question to agree to the following amendment, reported by the Committee on Foreign Relations, to the 4th article, viz: At the end of said article insert the following words: *But this presumption may be rebutted by evidence to the contrary*,

It was determined in the affirmative.

No further amendment being made to the treaty, it was reported to the Senate, and the amendment made in Committee of the Whole was concurred in; and no further amendment being proposed to the treaty, Mr. Sumner submitted the following resolution for consideration:

Resolved (*two-thirds of the Senators present concurring*), That the Senate advise and consent to the ratification of the convention between the United States and the Mexican Republic for the purpose of regulating the citizenship of persons who may emigrate from the one country to the other, signed in Washington, D. C., July 10, 1868, with the following amendment: Insert at the end of article 4 the following words: *But this presumption may be rebutted by evidence to the contrary.*

The Senate, by unanimous consent, proceeded to consider the said resolution; and on the question to agree thereto,

It was determined unanimously in the affirmative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

The additional article to the treaty of navigation and commerce between the United States and the Emperor of Russia, of the 18th December, 1832, was read the second time and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Mr. Sumner submitted the following resolution for consideration:

Resolved (*two-thirds of the Senators present concurring*), That the Senate advise and consent to the ratification of the additional article to the treaty of navigation and commerce between the United States and the Emperor of Russia, of the 18th December, 1832.

The Senate, by unanimous consent, proceeded to consider the resolution; and on the question to agree thereto,

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It was determined unanimously in the affirmative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

The consular convention between the United States and the Mexican Republic, signed in the city of Washington, D. C., July 10, 1868, was read the second time and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Mr. Sumner submitted the following resolution for consideration:

Resolved (*two-thirds of the Senators present concurring*), That the Senate advise and consent to the ratification of the consular convention between the United States and the Mexican Republic, signed in the city of Washington, D. C., July 10, 1868.

The Senate, by unanimous consent, proceeded to consider the said resolution; and on the question to agree thereto,

It was determined unanimously in the affirmative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

The Senate proceeded to consider the motion submitted by Mr. Pomeroy, the 26th of March last, to reconsider the resolution advising and consenting to the appointment of Edgar H. Bates; and

The motion was agreed to.

The question recurring, Will the Senate advise and consent to the appointment of Edgar H. Bates?

It was determined in the affirmative.

So it was

Resolved, That the Senate advise and consent to the appointment of Edgar H. Bates.

The Senate proceeded to consider the motion submitted by Mr. Thayer, the 11th instant, to reconsider the resolution advising and consenting to the appointment of George J. Anthony.

On the question to agree thereto,

It was determined in the negative.

The Senate proceeded to consider the motion submitted by Mr. Pomeroy, the 18th instant, to reconsider the resolution rejecting the nomination of R. H. Cochran; and on the question to agree thereto,

It was determined in the negative.

The Senate proceeded to consider the motion submitted by Mr. Ramsey, the 20th instant, to reconsider the resolution rejecting the nomination of W. H. Parker; and on the question to agree thereto,

It was determined in the affirmative.

The question recurring, Will the Senate advise and consent to the appointment of W. H. Parker?

On motion by Mr. Ramsey,

Ordered, That the said nomination lie on the table.

Mr. Cattell submitted a motion that the Senate reconsider its resolution of this day advising and consenting to the appointment of James Marr.

The Senate, by unanimous consent, proceeded to consider the said motion; and on the question to agree thereto,

It was determined in the affirmative.

On motion by Mr. Drake,

Ordered, That the said nomination be returned to the President of the United States with the notification that the nominee is ineligible on account of non-residence in the district for which he is nominated.

The Senate, by unanimous consent, proceeded to consider the motion submitted by Mr. Conness, this day, to reconsider the resolution advising and consenting to the appointment of Wm. Selden.

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On the question to agree thereto,

It was determined in the negative.

The Senate, by unanimous consent, proceeded to consider the motion submitted by Mr. Sumner, this day, to reconsider the resolution advising and consenting to the appointment of Wm. B. Storm.

The motion was agreed to.

The question recurring, Will the Senate advise and consent to the appointment of Wm. B. Storm?

It was determined in the negative.

So it was

Resolved, That the Senate do not advise and consent to the appointment of Wm. B. Storm.

Mr. Pomeroy submitted a motion that the Senate reconsider its resolution of the 24th inst. advising and consenting to the appointment of Samuel T. Crown; and,

On motion by Mr. Anthony,

Ordered, That the Secretary be directed to request the President of the United States to return to the Senate its resolution advising and consenting to the appointment of Samuel T. Crown.

The Senate proceeded to consider the following resolution reported by Mr. Sumner, from the Committee on Foreign Relations on the 14th instant; which was unanimously agreed to:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the modification of the treaty between the United States and Siam, proposed by the Government of that country, and referred to in the dispatch of the consul of the United States at Bankok, which accompanied the message of the President of the United States of the twenty-third of June, eighteen hundred and sixty-eight.

On motion by Mr. Cameron,

Ordered, That the Committee on Finance be discharged from the further consideration of the nomination of Alexander Cummings.

The treaty between the United States and the Cheyenne and Arapaho tribes of Indians was read the second time, and considered as in Committee of the Whole.

On motion by Mr. Cole to amend the treaty by striking out the following words: "And in addition to the clothing herein named, the sum of twenty thousand dollars shall be annually appropriated for a period of thirty years, to be used by the Secretary of Interior in the purchase of such articles as, from time to time, the condition and necessities of the Indians may indicate to be proper; and if, at any time, within the thirty years it shall appear that the amount of money needed for clothing under this article can be appropriated to better use for the tribe herein named, Congress may by law change the appropriation to other purposes; but, in no event shall the amount of this appropriation be withdrawn or discontinued for the period named,"

It was determined in the negative,

No further amendment being proposed to the treaty, it was reported to the Senate.

Mr. Henderson submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the treaty between the United States and the Cheyenne and Arapaho tribes of Indians.

The Senate, by unanimous consent, proceeded to consider the said resolution; and on the question to agree thereto,

It was determined in the affirmative, { Yeas..... 34
Nays..... 3

On motion by Mr. Cole,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Anthony, Buckalew, Cameron, Cattell, Chandler, Conkling, Conness, Corbett, Cragin, Doolittle, Fowler, Harlan, Harris, Henderson, Kellogg, McDonald, Morgan, Nye, Pomeroy, Ramsey, Rice, Ross, Sawyer, Spencer, Thayer, Tipton, Van Winkle, Warren, Welch, Willey, Williams, Wilson, Yates.

Those who voted in the negative are,

Messrs. Cole, Spencer, and Stewart.

So the resolution was agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

The treaty between the United States and the Kiowa and Comanche tribes of Indians, concluded at Medicine Lodge Creek, Kansas, October 21, 1867, was read the second time and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Mr. Henderson submitted the following resolution for consideration:

Resolved (*two-thirds of the Senators present concurring*), That the Senate advise and consent to the ratification of the treaty between the United States and the Kiowa and Comanche tribes of Indians, concluded at Medicine Lodge Creek, Kansas, October 21, 1867.

The Senate, by unanimous consent, proceeded to consider the said resolution; and on the question to agree thereto,

It was determined unanimously in the affirmative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

The treaty of confederation between the United States and the Kiowa, Comanche, and Apache tribes of Indians, concluded at Medicine Lodge Creek October 21, 1867, was read the second time and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Mr. Henderson submitted the following resolution for consideration:

Resolved (*two-thirds of the Senators present concurring*), That the Senate advise and consent to the ratification of the treaty of confederation between the United States and the Kiowa, Comanche, and Apache tribes of Indians, concluded at Medicine Lodge Creek October 21, 1867.

The Senate, by unanimous consent, proceeded to consider the said resolution; and on the question to agree thereto,

It was determined unanimously in the affirmative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

The treaty between the United States and the Navajo Indians, concluded at Fort Sumner, New Mexico, June 1, 1868, was read the second time and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Mr. Henderson submitted the following resolution for consideration:

Resolved (*two-thirds of the Senators present concurring*), That the Senate advise and consent to the ratification of the treaty between the United States and the Navajo Indians, concluded at Fort Sumner, New Mexico, June 1, 1868.

The Senate, by unanimous consent, proceeded to consider the said resolution; and on the question to agree thereto,

It was determined unanimously in the affirmative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

The treaty between the United States and the Crow Indians of Montana, made May 7, 1868, was read the second time and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Mr. Henderson submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the treaty between the United States and the Crow Indians of Montana, made May 7, 1868.

The Senate, by unanimous consent, proceeded to consider the said resolution; and on the question to agree thereto,

It was determined unanimously in the affirmative

Ordered, That the Secretary lay the said resolution before the President of the United States.

The treaty between the United States and the Northern Cheyenne and Northern Arapaho Indians, made May 10, 1868, was read the second time and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Mr. Henderson submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the treaty between the United States and the Northern Cheyenne and the Northern Arapaho Indians, made May 10, 1868.

The Senate, by unanimous consent, proceeded to consider the said resolution; and on the question to agree thereto,

It was determined unanimously in the affirmative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

The treaty between the United States and the Tabequache and other tribes of Indians, made the 2nd day of March, 1868, was read the second time and considered as in Committee of the Whole.

On motion by Mr. Henderson to amend the treaty by striking out of article 13 the following words, viz: "Also one good bull for every twenty-five cows, and such further sums annually, in the discretion of Congress, as may be necessary, not to exceed forty-five thousand dollars per annum, and not for a longer period than four years, shall be expended as afore said to every lodge or head of a family that shows a disposition to preserve said stock for increase,"

It was determined in the affirmative.

No further amendment being made to the treaty it was reported to the Senate, and the amendment made in Committee of the Whole was concurred in; and no further amendment being proposed to the treaty,

Mr. Henderson submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the treaty between the United States and the Tabequache and other tribes of Indians, made the 2nd day of March, 1868, with the following amendment:

Strike out of article 13 the following words, viz: "Also one good bull for every twenty-five cows, and such further sums annually, in the discretion of Congress, as may be necessary, not to exceed forty-five thousand dollars per annum, and not for a longer period than four years, shall be expended as aforesaid to every lodge or head of a family that shows a disposition to preserve said stock for increase."

The Senate, by unanimous consent, proceeded to consider the said resolution; and on the question to agree thereto,

It was determined unanimously in the affirmative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

The treaty between the United States and the Sac and Fox tribes of Indians of the Mississippi, concluded on the 18th of February, 1867, was read the second time, and considered as in Committee of the Whole.

On the question to agree to the following amendment, reported by the Committee on Indian Affairs, to the 4th article, viz: Strike out the words "and the legal rights of railroad corporations shall be conceded thereon the same as other public lands,"

It was determined in the affirmative.

On the question to agree to the following amendment reported by the Committee on Indian Affairs to the 5th article, viz:

Strike out the words "and the legal rights of railroad corporations shall accrue thereon,"

It was determined in the affirmative.

On the question to agree to the following amendment reported by the Committee on Indian Affairs to the 5th article, viz: Strike out the words "and the scrip referred to in the third article of this treaty shall be received in payment for any of the lands herein ceded to the United States, and not granted to any railroad corporation, at any time after the removal of the Indians, as provided in the seventh article hereof," and in lieu thereof insert: *Provided, That such lands shall be subject to sale in tracts of not exceeding* 160 *acres to any one person, and at a price not exceeding* $1.50 *per acre.*

On motion by Mr. Henderson to amend the proposed amendment by striking out of the part proposed to be inserted the word "exceeding," where it occurs the second time, and in lieu thereof inserting the words *less than*,

It was determined in the affirmative.

On the question to agree to the amendment reported by the Committee on Indian Affairs, as amended on the motion of Mr. Henderson,

It was determined in the affirmative.

On the question to agree to the following amendment reported by the Committee on Indian Affairs to article 7, viz: Strike out the words "a house and shop for a blacksmith, a house and shop for a gunsmith," and strike out "$10,000," and in lieu thereof insert *fifteen thousand dollars*,

It was determined in the negative.

On the question to agree to the following amendment reported by the Committee on Indian Affairs to the 8th article, viz: Add the following proviso:

Provided, That it is agreed by the Sacs and Foxes, parties to this treaty, that out of any moneys which may be due them under the provisions of this treaty there shall be paid to Thomas C. Stevens & Co., William Whistler & Co., Washington Hadley, and John K. Rankin the amounts found due and unpaid to the said parties after the claims filed by them before the agent for said Indians shall have been examined and audited by the superintendent of the Central Superintendency and the agent and approved by the Secretary of the Interior,

It was determined in the negative.

On the the question to agree to the amendment reported by the Committee on Indian Affairs to the treaty, viz: Strike out article 9, in the following words:

"In order to promote the civilization of the tribe, one section of land, convenient to the residence of the agent, shall be selected by said agent, with the approval of the Commissioner of Indian Affairs, and set apart

for a manual-labor school; and there shall also be set apart from the money to be paid to the tribe under this treaty the sum of $10,000 for the erection of the necessary school buildings and dwelling for teacher, and the further sum of $5,000, if the chiefs shall so request, and the annual amount of $5,000 shall be set apart from the income of their funds, after the erection of such school buildings, for the support of the school; and after the settlement of the tribe upon their new reservation, the sum of $10,000 of the income of their funds may be annually used, with the consent of the chiefs, under the direction of the Secretary of the Interior, for agricultural implements and assistance, purchase of stock, and otherwise in encouraging and assisting such of the tribe as will turn their attention to agriculture, and in support of their National Government, for which last-mentioned purpose the sum of $500 shall be annually paid to each of the five chiefs, $200 to each of ten councillors, $200 to their marshal, and the remaining $300 to be subject to the disposal of the chiefs;"

And insert in lieu thereof the following:

In order to promote the civilization of the tribe, one section of land, convenient to the residence of the agent, shall be selected by said agent, with the approval of the Commissioner of Indian Affairs, and set apart for a manual-labor school; and there shall also be set apart from the money to be paid to the tribe under this treaty the sum of $10,000, for the erection of the necessary school buildings and dwelling for teacher; and the annual amount of $5,000 shall be set apart from the income of their funds, after the erection of such school buildings, for the support of the school; and after settlement of the tribe upon their new reservation the sum of $5,000 of the income of their funds may be annually used, under the direction of the chiefs, in the support of their National Government, out of which last-mentioned amount the sum of $500 shall be annually paid to each of the chiefs,

It was determined in the affirmative.

On the question to agree to the following amendments reported by the Committee on Indian Affairs to the 11th article, viz: After the words "Thomas J. Miles," strike out the word "and," after the words "Hattie Miles" insert the words *Ema Ke-O-Kuck, Hannie Ke-O-Kuck, Mo-C-P-quah;* after the words "each eighty acres," insert the words: *Man-a-tah, Pah-Me-che-kaw paw, Henry Jones, Wilson McKinney, and Carrie C. Capper, each one hundred and sixty acres;* and after the words "unimproved lands" insert *Provided that the parties herein named shall pay to the Secretary of the Interior within three months after the ratification of this treaty the sum of one dollar per acre for said lands, the avails of which shall be used for the benefit of the Sacs and Foxes, in the same manner as the other funds arising from the sales of their lands; Provided, also, that George Powers, the present Government interpreter, for valuable services rendered and uniform kindness towards the nation shall have patented to him in fee-simple three hundred and twenty acres of land located by the agent; Provided, also,*

It was determined in the affirmative.

On the question to agree to the following amendment reported by the Committee on Indian Affairs to the 13th article, viz: Strike out the words "Thomas C. Stevens and Company," and in lieu thereof insert *John K. Rankin.* Strike out the word "traders," and strike out the word "they,"

It was determined in the affirmative.

On the question to agree to the following amendment reported by the Committee on Indian Affairs to the 17th article, viz: Strike out the words "and have since died,"

It was determined in the affirmative.

On the question to agree to the following amendment reported by the Committee on Indian Affairs to the 19th article, viz: Add to the end of the article the words *not to exceed the sum of fifteen hundred dollars*,

It was determined in the affimative.

On the question to agree to the following amendment reported by the Committee on Indian Affairs to the treaty, viz: Strike out article 20 in the following words:

"The stipulations of all former treaties now in force, and not inconsistent with the provisions of this treaty, shall remain in full force, and all treaties or parts of treaties heretofore made which shall conflict with the provisions of this treaty and are hereby abrogated;" and in lieu thereof insert *the chiefs and headmen of the Sacs and Foxes having permitted their employés to cultivate farms, which, together with the farms of Ke o-Kuck and other chiefs, are embraced within an area two miles by four, and the said Sacs and Foxes believing that the lands comprising the said area having been made valuable by reason of said occupancy, and in order that they may receive a fair compensation for said area of land, bounded and described as follows, except as heretofore specially excepted, and the mill and mission building, to wit: Commencing at the northwest corner of section* 33, *township* 16, *range* 17; *thence east two and a quarter* (2¼) *miles to the reservation line; thence south along said line four miles; thence west two and a fourth* (2¼) *miles to the southwest corner of section* 16, *township* 17, *range* 17; *thence north along the section line to the place of beginning, are hereby withdrawn from sale, as is provided for the sale of their lands in this treaty, and the said area of land, as above described, shall be sold by the chiefs and agent for the tribe at the best price obtainable; and they are hereby empowered to make warrantee deeds for the same, which deeds shall be subject to the approval of the superintendent of Indian affairs for Kansas. The avails of said lands shall be expended by the agent, under the direction of the chiefs, for the benefit of the Nation.*

On motion by Mr. Harlan to amend the proposed amendment by striking out of the part proposed to be inserted the words "which deeds shall be subject to the approval of the superintendent of Indian affairs for Kansas," and in lieu thereof inserting *subject to the approval of the Secretary of the Interior, at not less than $2.00 per acre in addition to the appraised value of the improvements*,

It was determined in the affirmative.

On the question to agree to the amendment reported by the Committee on Indian Affairs, as amended on the motion of Mr. Harlan,

It was determined in the affirmative.

On the question to agree to the amendment reported by the Committee on Indian Affairs, to amend the treaty by inserting as an additional article the following: *The Sacs and Foxes of the Mississippi, parties to this agreement, being anxious that all the members of their tribe shall participate in the advantages to be derived from the investment of their national funds, sales of lands, and so forth, it is therefore agreed that as soon as practicable, the Commissioner of Indian Affairs shall cause the necessary proceedings to be adopted, to have such members of the tribe as may be absent notified of this agreement and its advantages, and to induce them to come in and permanently unite with their brethren; and that no part of the funds arising from or due the nation under this or previous treaty stipulations shall be paid to any bands or parts of bands who do not permanently reside on the reservation set apart to them by the Government in the Indian Territory, as provided in this treaty; and it is further agreed that all money accruing from this or former tribes, now due or to become*

due said nation, shall be paid them on their reservation in Kansas; and after their removal, as provided in this treaty, payments shall be made at their agency, on their lands as then located.

On motion by Mr. Harlan to amend the proposed amendment by inserting after the words "in this treaty," *except those residing in the State of Iowa*,

It was determined in the affirmative.

On the question to agree to the amendment reported by the Committee on Indian Affairs as amended on the motion of Mr. Harlan,

It was determined in the affirmative.

On motion by Mr. Harlan to amend article 3 by inserting after the words "interest thereon," *out of the proceeds of sales of lands ceded in this treaty*,

It was determined in the affirmative.

On motion by Mr. Harlan to amend article 11 by inserting after the words "such selections," *and on payment therefor as is hereinbefore provided*,

It was determined in the affirmative.

On motion by Mr. Harlan to amend article 16 by striking out the words, "or other persons specially," and in lieu thereof inserting *to be*,

It was determined in the affirmative.

On motion by Mr. Harlan to amend article 17 by inserting after the word, "consideration" the following *not less than $1.25 per acre:*

It was determined in the affirmative.

No further amendment being made to this treaty, it was reported to the Senate and the amendments made in Committee of the whole were concurred in; and no further amendment being proposed to the treaty, Mr. Henderson submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the treaty between the United States and the Sac and Fox tribes of Indians of the Mississippi, concluded in the city of Washington on the 18th of February, 1867, with the following amendments:

Article 3. After the words "interest thereon" insert: *out of the proceeds of the sales of lands ceded in this treaty.*

Article 4. Strike out the following words: "and the legal rights of railroad corporations shall be conceded thereon, the same as on other public lands."

Article 5. Strike out the following words: "and the legal rights of railroad corporations shall accrue thereon."

Same article. Strike out the following words: "and the scrip referred to in the third article of this treaty shall be received in payment for any of the lands herein ceded to the United States, and not granted to any railroad corporation at any time after the removal of the Indians, as provided in the seventh article hereof," and in lieu thereof insert: *Provided that such lands shall be subject to sale, in tracts of not exceeding* 160 *acres to any one person, and at a price not less than* $1.50 *per acre.*

Strike out article 9, in the following words:

"In order to promote the civilization of the tribe, one section of land, convenient to the residence of the agent, shall be selected by said agent, with the approval of the Commissioner of Indian Affairs, and set apart for a manual labor school; and there shall also be set apart, from the money to be paid to the tribe under this treaty, the sum of $10,000 for the erection of the necessary school buildings and dwelling for teacher, and the further sum of $5,000, if the chiefs shall so request; and the annual amount of $5,000 shall be set apart from the income of their

funds, after the erection of such school buildings, for the support of the school; and after the settlement of the tribe upon their new reservation, the sum of $10,000 of the income of their funds may be annually used, with the consent of the chiefs, under the direction of the Secretary of the Interior, for agricultural implements and assistance, purchase of stock, and otherwise in encouraging and assisting such of the tribe as will turn their attention to agriculture, and in support of their National Government, for which last-mentioned purpose the sum of $500 shall be annually paid to each of the five chiefs, $200 to each of ten councillors, $200 to their marshal, and the remaining $300 be subject to the disposal of the chiefs;"

And in lieu thereof insert:

In order to promote the civilization of the tribe, one section of land, convenient to the residence of the agent, shall be selected by said agent, with the approval of the Commissioner of Indian Affairs, and set apart for a manual-labor school; and there shall also be set apart, from the money to be paid to the tribe under this treaty, the sum of $10,000 for the erection of the necessary school buildings and dwelling for teacher; and the annual amount of $5,000 shall be set apart from the income of their funds, after the erection of such school buildings, for the support of the school; and after settlement of the tribe upon their new reservation the sum of $5,000 of the income of their funds may be annually used, under the direction of their chiefs, in the support of their National Government, out of which last-mentioned amount the sum of $500 shall be annually paid to each of the chiefs.

Article 11. After the words "Thomas J. Miles" strike out the word "and."

Same article. After the words "Hattie Miles" insert: *Ema Ke-O-Kuck, Hannie Ke-O Kuck, Mo-C. P. quah.*

Same article. After the words "each eighty acres" insert: *Man-a-tah, Pah-Me-che-kaw-paw, Henry Jones, Wilson McKinney, and Carrie C. Capper, each one hundred and sixty acres.*

Same article. After the words "unimproved lands" insert: *Provided that the parties herein named shall pay to the Secretary of the Interior, within three months after the ratification of this treaty, the sum of one dollar per acre for said lands, the avails of which shall be used for the benefit of the Sacs and Foxes in the same manner as the other funds arising from the sales of their lands: Provided, also, that George Powers, the present Government interpreter, for valuable services rendered and uniform kindness towards the nation, shall have patented to him, in fee-simple, three hundred and twenty acres of land, to be located by the agent: Provided, also.*

Article 13. Strike out the words "Thomas C. Stevens & Company," and insert *John K. Rankin.*

Same article. Strike out the letter "s" in the word "traders."

Same article. Strike out the word "they."

Article 16. Strike out the words "or other persons specially," and insert in lieu thereof *to be.*

Article 17. After the word "consideration," insert: *not less than $1.25 per acre.*

Same article. Strike out the words "and have since died."

Article 19. At the end of the article insert: *not to exceed the sum of fifteen hundred dollars.*

Strike out article 20, in the following words: "The stipulations of all former treaties now in force, and not inconsistent with the provisions of this treaty, shall remain in full force; and all treaties or parts

of treaties heretofore made shall conflict with the provisions of this treaty are hereby abrogated;"

And in lieu thereof insert:

The chiefs and headmen of the Sacs and Foxes having permitted their employés to cultivate farms, which, together with the farms of Ke-O-Kuck and other chiefs, are embraced within an area two miles by four, and the said Sacs and Foxes, believing that the lands comprising the said area have been made valuable by reason of said occupancy, and in order that they may receive a fair compensation for said area of land, bounded and described as follows, except as heretofore specially excepted, and the mill and mission building, to wit: Commencing at the northwest corner of section 33, *township* 16, *range* 17, *thence east two and a quarter* (2¼) *miles to the reservation line; thence south along said line four miles; thence west two and a fourth* (2¼) *miles to the southwest corner of section* 16, *township* 17, *range* 17; *thence north along the section line to the place of beginning, are hereby withdrawn from sale, as is provided for the sale of their lands in this treaty; and the said area of land as above described shall be sold by the chiefs and agent for the tribe at the best price obtainable; and they are hereby empowered to make warrantee deeds for the same, subject to the approval of the Secretary of the Interior, at not less than* $2.00 *per acre in addition to the appraised value of the improvements; the avails of said lands shall be expended by the agent, under the direction of the chiefs, for the benefit of the nation.*

Insert, as an additional article to the treaty, the following:

Article 21. *The Sacs and Foxes of the Mississippi, parties to this agreement, being anxious that all the members of their tribe shall participate in the advantages to be derived from the investment of their national funds, sales of lands, and so forth, it is therefore agreed, that as soon as practicable the Commissioner of Indian Affairs shall cause the necessary proceedings to be adopted to have such members of the tribe as may be absent notified of this agreement and its advantages; and to induce them to come in and permanently unite with their brethren; and that no part of the funds arising from or due the nation under this or previous treaty stipulations shall be paid to any bands or parts of bands who do not permanently reside on the reservation set apart to them by the Government in the Indian Territory, as provided in this treaty, except those residing in the State of Iowa; and it is further agreed that all money accruing from this or former treaties now due or to become due said nation shall be paid them on their reservation in Kansas; and after their removal, as provided in this treaty, payments shall be made at their agency on their lands as then located.*

The Senate, by unanimous consent, proceeded to consider the said resolution; and on the question to agree thereto,

It was determined unanimously in the affirmative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

The Senate resumed consideration of the treaty between the United States and the Pottowatomie tribe of Indians concluded on the 27th February, 1867; and on the question to agree to the resolution of ratification submitted by Mr. Pomeroy the 30th of June last,

It was determined in the affirmative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

On motion by Mr. Conkling,

Ordered, That when the Senate adjourn it be to half-past nine a. m. to-morrow.

On motion by Mr. Conkling,

Ordered, That the nomination of John P. O'Neill be restored to the Calendar.

On motion by Mr. Stewart,

Ordered, That the nomination of Enos D. Hoge be restored to the Calendar.

The Senate, by unanimous consent, proceeded to consider the nominations of W. H. Lentz, Joseph M. Simms, Percy B. Spear, Charles C. Wilson, Stephen Coburn, Zephaniah S. Spalding, M. W. Wilcox, and Alexander L. Buffington; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate, by unanimous consent, proceeded to consider the nominations of James L. Robbins, Harvey Adams, H. L. Stephens, J. S. Johnson, and James E. Tewell; and

Resolved, That the Senate do not advise and consent to the appointment of the said persons.

The Senate, by unanimous consent, proceeded to consider the nominations of Luther B. Wilson, H. L. Brown, and W. J. Cullen; and

Ordered, That the said nominations lie on the table.

MONDAY, JULY 27, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Wm. Aiken to be collector of customs for the district of Charleston, in the State of South Carolina, in place of A. G. Mackey, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 27, 1868.

To the Senate of the United States:

I nominate Charles P. Heywood to be collector of internal revenue for the third district of Missouri, vice John M. Cashman, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 27, 1868.

To the Senate of the United States:

I nominate George H. Parker, of Iowa, te be minister resident of the United States to Ecuador, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 25, 1868.

To the Senate of the United States:

In compliance with the request of the Senate of the 25th instant, I return herewith its resolution of that date advising and consenting to the appointment of Samuel T. Crown to be justice of the peace in and for the county of Washington, District of Columbia.

ANDREW JOHNSON.

WASHINGTON, D. C, *July* 27, 1868.

To the Senate of the United States:

I nominate James White, of Tennessee, to be consul of the United States at Matamoros, Mexico, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 27, 1868.

To the Senate of the United States:

I nominate Robert M. Smith to be collector of internal revenue for the third district of Maryland, to fill the vacancy caused by the resignation of Prescott Smith.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 27, 1868.

To the Senate of the United States:

I nominate J. Andrew Smith, of Indiana, to be consul of the United States at the City of Mexico, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, D. C., *July* 27, 1868.

The messages were read.

The Senate, by unanimous consent, proceeded to consider the nomination of James White; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Ordered, That the nominations of William Aiken and J. Albert Smith be referred to the Committee on Commerce.

Ordered, That the nominations of Charles P. Haywood and Robert M. Smith, be referred to the Committee on Finance.

Ordered, That the nomination of George H. Parker be referred to the Committee on Foreign Relations.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom were referred, the 25th instant, the nomination of George W. Summers, the 18th instant the nomination of John Whelan and James C. Shea, the 21st instant the nomination of Harry C. Hunt, and the 25th instant the nominations of Charles W. Champlin and Thomas C. Allen, reported the same with the recommendation that they lie on the table.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom were referred, the 25th instant, the nominations of A. P. Turner and James Davis, reported favorably thereon.

Mr. Stewart, from the Committee on the Judiciary, to whom was referred the 25th instant. the nomination of George J. Stubblefield, reported adversely thereon.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 25th instant, the nomination of William S. Rosecrans, and this day the nomination of George H. Parker, reported favorably thereon.

Mr. Harlan, from the Committee on the District of Columbia, to whom was referred, the 13th of June last, the nomination of Robert White, reported favorably thereon.

Mr. Harlan, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 25th instant, the nomination of Charles M. Alexander, reported the same without recommendation.

Mr. Morgan, from the Committee on Finance, to whom was referred, the 25th instant, the nominations of Jacob H. Meech and D. H. Stanton, reported adversely thereon.

Mr. Morgan, from the Committee on Finance, to whom was recommitted, the 16th of March last, the nomination of Lucius Wolfley, and to whom was recommitted, the 18th instant, the nomination of Alfred T. Lacy, reported the same without recommendation.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 18th instant, the nomination of A. J. Scarbor-

ough, and the 25th instant the nomination of William Gibby, reported adversely thereon.

Mr. Sherman, from the Committee on Finance, to whom was referred, the 25th instant, the nomination of John W. Smith, reported adversely thereon.

Mr. Sherman, from the Committee on Finance, to whom was referred, the 25th instant, the nomination of Lloyd D. Waddell, reported the same with the recommendation that the further consideration of the nomination be postponed to December next.

Mr. Sherman, from the Committee on Finance, to whom was referred this day the nomination of Robert M. Smith, reported favorably thereon.

Mr. Henderson, from the Committee on Finance, to whom was referred, this day, the nomination of Charles P. Heywood, reported favorably thereon.

Mr. Henderson, from the Committee on Indian Affairs, to whom was referred, the 15th instant, the nomination of James T. Sheely, reported favorably thereon.

Mr. Chandler, from the Committee on Commerce, to whom was referred, this day, the nomination of William Aiken, reported the same with the recommendation that it lie on the table.

On motion by Mr. Ferry that the Senate reconsider its resolution of the 25th instant advising and consenting to the appointment of Hoadley B. Ives,

It was determined in the affirmative.

The question recurring, Will the Senate advise and consent to the appointment of Hoadley B. Ives?

It was determined in the negative.

So it was

Resolved, That the Senate do not advise and consent to the appointment of Hoadley B. Ives.

On motion by Mr. Sherman that the Senate reconsider its resolution of the 25th instant advising and consenting to the appointment of Percy R. Spear,

It was determined in the affirmative.

The question recurring, Will the Senate advise and consent to the appointment of Percy B. Spear?

On motion by Mr. Sherman,

Ordered, That the said nomination lie on the table.

The Senate proceeded to consider the nomination of T. Lyle Dickey; and

On the question, Will the Senate advise and consent to the appointment of T. Lyle Dickey?

It was determined in the affirmative, { Yeas. 24
{ Nays. 17

On motion by Mr. Stewart,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Abbott, Anthony, Buckalew, Cole, Corbett, Cragin, Davis, Doolittle, Ferry, Fessenden, Henderson, McCreery, Morgan, Patterson of N. H., Patterson of Tenn., Ross, Sherman, Sprague, Van Winkle, Warren, Welch, Whyte, Willey, Williams.

Those who voted in the negative are,

Messrs. Chandler, Conkling, Conness, Drake, Harlan, Harris, Howe, McDonald, Osborne, Rice, Sawyer, Stewart, Sumner, Thayer, Tipton, Wade, Wilson.

So it was

Resolved, That the Senate advise and consent to the appointment of T. Lyle Dickey, agreeably to the nomination.

Mr. Conness, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 18th instant, the nomination of Jesse Kimball, reported adversely thereon.

The Senate proceeded to consider the nominations of A. S. Paddock, Fletcher P. Cuppy, and Solomon P. McCurdy; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate proceeded to consider the nominations of Omar F. Roberts and Simeon M. Johnson; and

Resolved, That the Senate do not advise and consent to the appointment of the said persons.

The Senate, by unanimous consent, proceeded to consider the nominations of William S. Rosecrans, Charles M Alexander, Lewis Wolfley, Robert White, James T. Shelley, and Charles P. Heywood; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate, by unanimous consent, proceeded to consider the nominations of D. H. Stanton, Jacob H. Meech, A. J. Scarborough, Wm. Gibby, John W. Smith, George J. Stubblefield, and Jesse Kimball; and

Resolved, That the Senate do not advise and consent to the appointment of the said persons.

The Senate, by unanimous consent, proceeded to consider the nominations of Alfred T. Lacy, Charles W. Champlin, James C. Shea, Wm. Aiken, George H. Parker, Henry C. Hunt, George W. Summers, Thomas C. Allen, and John Whelan; and

Ordered, That the said nominations lie on the table.

The Senate, by unanimous consent, proceeded to consider the nomination of Wm. E. Wells; and

Resolved, That the Senate do not advise and consent to the appointment of Wm. E. Wells.

The Senate proceeded to consider the nomination of William H. Wisner; and,

On motion by Mr. Fowler,

Ordered, That the said nomination lie on the table.

On motion by Mr. Cragin that the Senate reconsider its resolution of this day advising and consenting to the appointment of A. S. Paddock, It was determined in the affirmative.

The question recurring, Will the Senate advise and consent to the appointment of W. S. Paddock?

On motion by Mr. Cragin,

Ordered, That the said nomination lie on the table.

The Senate proceeded to consider the nomination of Isaac W. Webster; and,

On motion by Mr. Doolittle,

Ordered, That the said nomination lie on the table.

The Senate proceeded to consider the motion submitted by Mr. Pomeroy the 25th instant, to reconsider the resolution advising and consenting to the appointment of Samuel T. Crown.

The motion was agreed to.

The question recurring, Will the Senate advise and consent to the appointment of Samuel T. Crown?

It was determined in the negative.

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So it was

Resolved, That the Senate do not advise and consent to the appointment of Samuel T. Crown.

The Senate proceeded to consider the nomination of John P. O'Neill; and

Ordered, That the said nomination lie on the table.

The Senate proceeded to consider the motion submitted by Mr. Conness, the 25th instant, to reconsider the resolution advising and consenting to the appointment of Charles N. Felton; and on the question to agree thereto,

It was determined in the negative.

The Senate proceeded to consider the nomination of Alexander Cummings.

On motion by Mr. Corbett that the said nomination lie on the table,

It was determined in the negative, { Yeas 21
Nays 29

On motion by Mr. Corbett,

The yeas and nays being desired by one-fifth of the Senators present.

Those who voted in the affirmative are,

Messrs. Abbott, Chandler, Cole, Corbett, Cragin, Drake, Fessenden, Frelinghuysen, Harris, Howard, Howe, Morgan, Patterson of N. H., Ross, Sherman, Spencer, Sprague, Sumner, Van Winkle, Warner, Willey.

Those who voted in the negative are,

Messrs. Buckalew, Cameron, Cattell, Conkling, Conness, Davis, Doolittle, Ferry, Fowler, Harlan, Henderson, Kellogg, McCreery, McDonald, Nye, Patterson of Tenn., Pomeroy, Osborn, Ramsey, Rice, Sawyer, Stewart, Thayer, Tipton, Wade, Welch, Whyte, Williams, Yates.

The question recurring, Will the Senate advise and consent to the appointment of Alexander Cummings?

At this point the President *pro tempore* announced that the hour fixed by the resolution of the two houses for closing the present session by a recess had arrived; and,

The Senate adjourned.

JOURNAL OF THE PROCEEDINGS OF THE UNITED STATES SENATE IN EXECUTIVE SESSION.

[Fortieth Congress, third session, commencing December 7th, 1868.]

MONDAY, DECEMBER 14, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Henry A. Smythe, of New York, to be envoy extraordinary and minister plenipotentiary of the United States to Russia, vice Cassius M. Clay. Mr. Clay resigned his place in December last to take effect the 1st day of April thereafter, or as soon as his successor shall arrive. The resignation was accepted to take effect on the 1st day of April. No successor has yet been appointed.

ANDREW JOHNSON.

WASHINGTON, 14 *December*, 1868.

To the Senate of the United States:

I nominate Benjamin F. James, of Illinois, who was commissioned during the recess of the Senate, to be an examiner-in-chief in the Patent Office

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 14, 1868.

To the Senate of the United States:

I nominate William J. Cullen, of Montana, to be superintendent of Indian affairs for the Territories of Idaho and Montana.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 14, 1868.

To the Senate of the United States:

I nominate Alexander Cummings, of Pennsylvania, to be Commissioner of Internal Revenue, in place of E. A. Rollins.

ANDREW JOHNSON.

WASHINGTON, D C., *December* 14, 1868.

To the Senate of the United States:

I nominate Alfred Macy to be collector of customs for the district of Nantucket, in the State of Massachusetts, in place of Isaac H. Folger, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 11*th*, 1868.

To the Senate of the United States:

I nominate Nicholas Callan to be a justice of the peace in and for the county of Washington, District of Columbia.

ANDREW JOHNSON.

EXECUTIVE MANSION, *December* 11, 1868.

To the Senate of the United States:

I nominate the person herein named for reinstatement in the Army of the United States, he having been dismissed July 2, 1868, and the order dismissing him having been revoked:

Medical Department.

Peter J. A. Cleary, late assistant surgeon United States Army, to be assistant surgeon, to date from October 9, 1867.

ANDREW JOHNSON.

WASHINGTON, *December 8th*, 1868.

To the Senate of the United States:

I nominate the person herein named for appointment in the Army of the United States:

To be post chaplain.

Thomas W. Haskins, of Utah Territory, November 16, 1868, vice White, deceased.

ANDREW JOHNSON.

WASHINGTON, *December 8th*, 1868.

To the Senate of the United States:

I nominate the person herein named for reinstatement in the Army of the United States, the order cashiering him having been revoked:

Fourth Regiment of Artillery.

Frederick M. Follett, late captain in the Fourth Regiment United States Artillery, to be captain, to date from September 3, 1861.

ANDREW JOHNSON.

WASHINGTON, *December 8th*, 1868.

To the Senate of the United States:

I nominate the person herein named for reinstatement in the Army of the United States, he having been dismissed September 2, 1867, and the order dismissing him having been revoked:

Fourth Regiment of Cavalry.

Levant W. Barnhart, late first lieutenant in the Fourth Regiment United States Cavalry, to be first lieutenant, to date from November 28, 1866.

ANDREW JOHNSON.

WASHINGTON, *December 8th*, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment in the Army of the United States, they having passed the examination required by law:

Colon Augur, of the District of Columbia, to be second lieutenant in the Second Regiment United States Cavalry, August 3, 1868, vice Pearce, promoted.

George E. Judd, late captain of the Veteran Reserve Corps, to be second lieutenant in the Forty-fifth Regiment United States Infantry, August 19, 1868, vice Hambrick, promoted.

Washington L. Ledgerwood, late captain of the Third Tennessee Volunteers, to be second lieutenant in the Eighteenth Regiment United States Infantry, July 30, 1868, vice Hibbetts, whose appointment has been canceled.

Samuel Walker, late lieutenant of the Veteran Reserve Corps, to be second lieutenant in the Forty-fifth Regiment United States Infantry, September 16, 1868, vice Whiting, promoted.

William E. Doyle, late first lieutenant of the Seventeenth Indiana Volunteers, to be second lieutenant in the Tenth Regiment United States Cavalry, September 1, 1868, vice Morrison, appointed first lieutenant.

George E. Sage, of Illinois, to be second lieutenant in the Nineteenth Regiment United States Infantry, September 30, 1868, vice Appleton, promoted.

Sergeant Thomas Garvey, of Light Battery "A," Second Regiment United States Artillery, to be second lieutenant in the First Regiment United States Cavalry, October 7, 1868, vice McBride, resigned.

Charles E. Slade, late sergeant of Company D, Nineteenth Pennsylvania Volunteers, to be second lieutenant in the Fifteenth Regiment United States Infantry, October 12, 1868, vice Young, promoted.

Hospital Steward Patrick Kelliher, United States Army, to be second lieutenant in the Thirty-ninth Regiment United States Infantry, November 6, 1868, vice Abrahams, deceased.

John W. Budd, of Virginia, to be second lieutenant in the Fourth Regiment United States Cavalry, March 21, 1868, vice Vernon, promoted.

ANDREW JOHNSON.

WASHINGTON, *December 8th*, 1868.

To the Senate of the United States:

I nominate the persons herein named for reappointment in the Army of the United States:

First Regiment of Cavalry.

Albert J. Garrett, of the District of Columbia, to be second lieutenant, November 1, 1867, vice Henderson, promoted.

Fourth Regiment of Cavalry.

William Russell, jr., late major and assistant adjutant-general of Volunteers, to be second lieutenant, October 25, 1867, vice Hick, promoted.

Fifth Regiment of Cavalry.

Frank C. Morehead, of Missouri, to be second lieutenant, September 4, 1867, vice ———, to be appointed regimental commissary.

Sixth Regiment of Cavalry.

Henry Lazenby, of the District of Columbia, to be second lieutenant, October 11, 1867, vice Rossander, deceased.

Thirtieth Regiment of Infantry.

Luther M. Longshaw, of Kentucky, to be second lieutenant, June 18, 1867, vice Davidson, resigned.

ANDREW JOHNSON.

WASHINGTON, *December 8th*, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be first lieutenants by brevet.

Second Lieutenant Thomas E. Merritt, of the Twenty-ninth Regiment United States Infantry, for gallant and meritorious services in the siege of Port Hudson, La., to date from March 2, 1867.

Second Lieutenant Louis H. Rucker, of the Ninth Regiment United States Cavalry, for gallant and meritorious services in the battles of Upperville and Beverly Ford, Va., to date from March 2, 1867.

Second Lieutenant David A. Griffith, of the Thirtieth Regiment United States Infantry, for gallant conduct at the battle of Bull Run (second), Va., to date from March 2, 1867.

Second Lieutenant George K. Spencer, of the Nineteenth Regiment United States Infantry, for gallant and meritorious services in the battles of Tupello, Miss., July 13th and 14th, 1864, and Nashville, Tenn., December 15th and 16th, 1864, to date from August 17, 1867.

Second Lieutenant Frank P. Gross, of the Ninth Regiment United States Cavalry, for gallant and meritorious services during the war, to date from August 9, 1867.

Second Lieutenant J. Sumner Rogers, of the First Regiment United States Infantry, for gallant and meritorious services at the battles of Hanover Court-House and Gaines' Mills, Va., to date from October 1, 1867.

Second Lieutenant George W. Budd, of the Ninth Regiment United States Cavalry, for gallant and distinguished services at the battle of Corinth, Miss., to date from August 17, 1867.

Second Lieutenant John W. Lewis, of the Twenty-third Regiment United States Infantry, for faithful and efficient services during the war, to date from March 2, 1867.

Second Lieutenant Edward Donovan, of the Forty-first Regiment United States Infantry, for gallant and meritorious services in the battles of Fort Donelson and Pittsburg Landing, Tenn., to date from March 2, 1867.

Second Lieutenant William H. Hugo, of the Twenty-fifth Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 2, 1867.

Second Lieutenant William F. Rice, of the Twenty-third Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Pa., July 2nd and July 3d, 1863, to date from March 2, 1867.

Second Lieutenant Fredrik Rosencrantz, of the Thirty-fourth Regiment United States Infantry, for gallant and meritorious services in the campaign under General McClellan, to date from March 2, 1867.

Second Lieutenant George S. L. Ward, of the Thirty-first Regiment United States Infantry, for gallant and meritorious services in the battle of Hatcher's Run, Va., December 9, 1864, to date from March 2, 1867.

Second Lieutenant Frank C. Guigan, of the Second Regiment United States Cavalry, for gallant and meritorious services in the battle of Hatcher's Run, Va., to date from March 2, 1867.

Second Lieutenant John Anderson, of the Twenty-fifth Regiment United States Infantry, for gallant and meritorious services in the battles before Petersburg, Va., to date from August 10, 1867.

Second Lieutenant Frank Thorp, of the Fifth Regiment United States Artillery, for gallant and meritorious services in the siege of Petersburg, Va., to date from March 2, 1867.

Second Lieutenant Henry P. Ritzins, of the Thirty-ninth Regiment United States Infantry, for gallant and meritorious services in the battle of Fredericksburg, Va., to date from October 23, 1867.

ANDREW JOHNSON.

WASHINGTON, *December 8th*, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be captains by brevet.

First Lieutenant Robert A. Torrey, of the Thirteenth Regiment United States Infantry, for gallant and meritorious services at Colliersville, Tenn., October 11, 1863, to date from March 13, 1865.

First Lieutenant Jacob Wagner, of the Twenty-ninth Regiment United States Infantry, for gallant and meritorious services in the attack on Petersburg, Va., April 2, 1865, to date from March 2, 1867.

Brevet First Lieutenant Thomas E. Merritt, second lieutenant in the Twenty-ninth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet First Lieutenant Louis H. Rucker, second lieutenant in the Ninth Regiment United States Cavalry, for gallant and meritorious services during the war, to date from March 2, 1867.

First Lieutenant Frank W. Hess, of the Twenty-ninth Regiment United States Infantry, for gallant and meritorious services in the battle of Kelly's Ford, Va., to date from March 2, 1867.

Brevet First Lieutenant David A. Griffeth, second lieutenant in the Thirtieth Regiment United States Infantry, for gallant and meritorious conduct at the battle of Antietam, Md., to date from March 2, 1867.

First Lieutenant John Whitney, of the Nineteenth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet First Lieutenant George K. Spencer, second lieutenant in the Nineteenth Regiment United States Infantry, for gallant and meritorious services at the capture of Spanish Fort, in the siege of Mobile, in Ala., March and April, 1865, to date from August 17, 1867.

First Lieutenant George Macomber, of the Thirty-second Regiment United States Infantry, for gallant and meritorious services in campaigns of the Army of the Potomac in 1864 and 1865, to date from March 2, 1867.

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First Lieutenant William Hoelcke, of the Thirty-ninth Regiment United States Infantry, for efficient and distinguished services during the war, to date from March 2, 1867.

Brevet First Lieutenant Frank P. Gross, second lieutenant in the Ninth Regiment United States Cavalry, for gallant and meritorious services during the war, to date from August 9, 1867.

Brevet First Lieutenant J. Sumner Rogers, second lieutenant in the First Regiment United States Infantry, for gallant and meritorious services at the battle of Bull Run (2d), Va., to date from October 1, 1867.

Brevet First Lieutenant George W. Budd, second lieutenant in the Ninth Regiment United States Cavalry, for gallant and distinguished services at the battle of Nashville, Tenn., to date from August 17, 1867.

Brevet First Lieutenant John W. Lewis, second lieutenant in the Twenty-third Regiment United States Infantry, for faithful and efficient services during the war, to date from March 2, 1867.

First Lieutenant Charles M. Callahan, of the Third Regiment United States Artillery, for gallant and meritorious services in the siege of Vicksburg, Miss., to date from March 2, 1867.

Brevet First Lieutenant John Bannister, second lieutenant in the Forty third Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet First Lieutenant Edward Donovan, second lieutenant in the Forty-first Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

First Lieutenant William G. Fitch, of the United States Army, for gallant and meritorious services at the battle of Hanover Court-House, Va., to date from March 13, 1865.

First Lieutenant William Hawley, of the Twentieth Regiment United States Infantry, for gallant and meritorious conduct in the battle of Cedar Mountain, Va., August 9, 1862, to date from March 2, 1867.

First Lieutenant Warren R. Dunton, of the Second Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet First Lieutenant William H. Hugo, second lieutenant in the Twenty-fifth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet First Lieutenant William F. Rice, second lieutenant in the Twenty-third Regiment United States Infantry, for gallant and meritorious services in the battles of the Wilderness, Spottsylvania, Cool Arbor, and Ream's Station, Va., to date from March 2, 1867.

Brevet First Lieutenant Fredrik Rosencrantz, second lieutenant in the Thirty-fourth Regiment United States Infantry, for gallant and meritorious services in the campaign under General Burnside, to date from March 2, 1867.

Brevet First Lieutenant James B. Burbank, second lieutenant in the Third Regiment United States Artillery, for gallant conduct in battle as a staff officer, to date from March 13, 1865.

Brevet First Lieutenant George S. L. Ward, second lieutenant in the Thirty-first Regiment United States Infantry, for gallant and meritorious services in the campaign terminating in Lee's surrender, April 9, 1865, to date from March 2, 1867.

Brevet First Lieutenant Frank C. Guigan, second lieutenant in the Second Regiment United States Cavalry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet First Lieutenant Frank Thorp, second lieutenant in the Fifth Regiment United States Artillery, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet First Lieutenant Henry P. Ritzius, second lieutenant in the Thirty-ninth Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from October 23, 1867.

First Lieutenant Sumner H. Lincoln, of the Twenty-sixth Regiment United States Infantry, for gallant and meritorious services in the battle of the Wilderness, Va., to date from March 2, 1867.

First Lieutenant George W. Graham, of the Tenth Regiment United States Cavalry, for gallant and meritorious services during the war, to date from March 2, 1867.

First Lieutenant Owen Hale, of the Seventh Regiment United States Cavalry, for conspicuous gallantry in the engagement at Charles City Court-House, Va., December 13, 1863, to date from March 2, 1867.

Brevet First Lieutenant Paul R. Hanbrick, second lieutenant in the Forty-fifth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

First Lieutenant William P. Bainbridge, of the Third Regiment United States Cavalry, for gallant and meritorious services in the battles of Chickamauga, Ga., and Mission Ridge Tenn., to date from March 2, 1867.

First Lieutenant John B. Nixon, of the Thirty-eighth Regiment United States Infantry, for faithful and meritorious services during the war, to date from June 12, 1867.

First Lieutenant Patrick Cusack, of the Ninth Regiment United States Cavalry, for conspicuous gallantry in an engagement with Indians at "Horse Head Hills," September 12, 1868, to date from September 12, 1868.

First Lieutenant William H. Clapp, of the Eleventh Regiment United States Infantry, for gallant and meritorious services at the battle of Chickasaw Bayou, December 29th, 30th, and 31st, 1862, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *December 8th*, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be majors by brevet.

Brevet Captain Robert A. Torrey, first lieutenant in the Thirteenth Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 13, 1865.

Captain George R. Vernon, of the Fourteenth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 13, 1865.

Captain Joseph G. Crane, commissary of subsistence United States Army, for gallant and meritorious services in the battle of Bull Run (2d), to date from April 25, 1865.

Brevet Captain Henry F. Leggett, second lieutenant in the Thirty-fifth Regiment United States Infantry, for gallant and meritorious services in the engagement at Lovejoy's Station, Ga., to date from July 17, 1867.

Brevet Captain Nicholas Nolan, first lieutenant in the Sixth Regiment United States Cavalry, for gallant and distinguished services during the war, to date from March 31, 1865.

Brevet Captain George Macomber, first lieutenant in the Thirty-second Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Captain John Mitchell, first lieutenant in the Fourth Regiment United States Artillery, for gallant and meritorious services during the war, to date from March 29, 1865.

Brevet Captain Charles M. Callahan, first lieutenant in the Third Regiment United States Artillery, for gallant and meritorious services in the battle of Bentonville, N. C., to date from March 2, 1867.

Brevet Captain Daniel D. Wheeler, first lieutenant in the First Regiment United States Artillery, for gallant and meritorious services in the capture of Fort Harrison, Va., to date from March 2, 1867.

Brevet Captain William Hawley, first lieutenant in the Twentieth Regiment United States Infantry, for gallant and meritorious conduct in the battles of Chancellorsville, Va., and Gettysburg, Pa., to date from March 2, 1867.

Captain William H. Bisbee, of the Twenty-seventh Regiment United States Infantry, for gallant and meritorious services in the battle of Jonesboro', Ga., and for meritorious conduct during the war, to date from March 13, 1865..

Brevet Captain William H. Hugo, second lieutenant in the Twenty-fifth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Captain Arthur MacArthur, jr., of the Thirty-sixth Regiment United States Infantry, for gallant and meritorious services in the battle of Mission Ridge, Tenn., to date from March 2, 1867.

Brevet Captain Fredrik Rosencrantz, second lieutenant in the Thirty-fourth Regiment United States Infantry, for gallant and meritorious services in the campaign under General Meade, to date from March 2, 1867.

Captain Clarence E. Bennett, of the Seventeenth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Captain Frank W. Hess, first lieutenant in the Twenty-ninth Regiment United States Infantry, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 2, 1867.

Brevet Captain Sumner H. Lincoln, first lieutenant in the Twenty-sixth Regiment United States Infantry, for gallant and meritorious services in the battle of Winchester, Va., to date from March 2, 1867.

Captain Charles H. Hoyt, assistant quartermaster United States Army, for gallant and meritorious services during the war, to date from March 22, 1867.

Brevet Captain Richard P. Strong, first lieutenant in the Seventh Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Captain George W. Graham, first lieutenant in the Tenth Regiment United States Cavalry, for gallant and meritorious services during the war, to date from March 2, 1867.

Captain John M. Duffy, of the Twenty-second Regiment United States Infantry, for gallant and meritorious services in action at Collierville, Tenn., October 11, 1863, to date from March 13, 1865.

Brevet Captain Owen Hale, first lieutenant in the Seventh Regiment United States Cavalry, for conspicuous gallantry at Bottoms' Bridge,

Va., February 7, 1864, and Drury's Bluff, Va., June 16, 1864, to date from March 2, 1867.

Brevet Captain Paul R. Hambrick, second lieutenant in the Forty-fifth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Captain Adna R. Chaffee, of the Sixth Regiment United States Cavalry, for gallant and efficient services in the engagement with Comanche Indians at Paint Creek, March 7, 1868, to date from March 7, 1868.

Brevet Captain William H. Clapp, first lieutenant in the Eleventh Regiment United States Infantry, for gallantry at the siege of Vicksburg, Miss., to date from March 2, 1867.

Brevet Captain Charles C. Aleshire, first lieutenant in the Third Regiment United States Artillery, for gallant and meritorious conduct at the battle of Nashville, Tenn., December 15th and 16th, 1864, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *December 8th*, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be lieutenant-colonels by brevet.

Brevet Major Joseph G. Crane, captain and commissary of subsistence United States Army, for faithful and meritorious services in the Subsistence Department during the war, to date from April 25, 1865.

Brevet Major Curwen B. McLellan, captain in the Sixth Regiment United States Cavalry, for gallant and distinguished services during the war, to date from March 31, 1865.

Brevet Major Nicholas Nolan, first lieutenant in the Sixth Regiment United States Cavalry, for gallant and distinguished services during the war, to date from March 31, 1865.

Brevet Major Charles H. Whittelsey, captain in the Thirtieth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Major Birney B. Keeler, first lieutenant in the Thirty-ninth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Major John H. Donovan, captain in the Forty-fourth Regiment United States Infantry, for gallant and meritorious conduct at the battle of Fredericksburg, Va., December 13, 1862, to date from March 2, 1867.

Brevet Major John Mitchell, first lieutenant in the Fourth Regiment United States Artillery, for gallant and meritorious services during the war, to date from March 29, 1865.

Brevet Major Daniel D. Wheeler, first lieutenant in the First Regiment United States Artillery, for gallant and good conduct during the war, to date from March 2, 1867.

Brevet Major William Hawley, first lieutenant in the Twentieth Regiment United States Infantry, for gallant and meritorious conduct in the battle of New Hope Church, near Dallas, Ga., May 25, 1864, to date from March 2, 1867.

Brevet Major Arthur MacArthur, jr., captain in the Thirty-sixth Regiment United States Infantry, for gallant and meritorious services in the battle of Franklin, Tenn., to date from March 2, 1867.

Major Thomas W. Sweeney, of the Sixteenth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 13, 1865.

Major Simeon Francis, of the United States Army, for faithful and meritorious services during the war, to date from March 13, 1865.

Major Rodney Smith, paymaster United States Army, for faithful and meritorious services during the war, to date from March 13, 1865.

Major William A. Rucker, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major Robert C. Walker, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major George Pomeroy, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major Justus Steinberger, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major William R. Gibson, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major Thomas H. Halsey, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major William B. Rochester, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major Henry B. Reese, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major John L. Hodge, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major Charles J. Spragne, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major Nicholas Vedder, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major Edwin D. Judd, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major Valentine C. Hanna, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major William Smith, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major John W. Smith, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major Charles M. Terrell, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major Thaddeus H. Stanton, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major George E. Glenn, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major Jacob E. Burbank, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major Brantz Mayer, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major James W. Nicholls, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major Robert D. Clarke, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major James H. Nelson, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major John S. Walker, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major Charles W. Wingard, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major James P. Canby, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major Peter P. G. Hall, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major George W. Candee, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major Edmund H. Brooke, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major Israel O. Dewey, paymaster United States Army, for faithful and meritorious services during the war, to date from March 2, 1867.

Major Samuel A. Pearce, jr., paymaster United States Army, for faithful and meritorious services during the war, to date from March 9, 1867.

Major James R. Mears paymaster United States Army, for faithful and meritorious services during the war, to date from March 13, 1867.

Major Thomas S. Allison, paymaster United States Army, for faithful and meritorious services during the war, to date from April 1, 1867.

Major Frank M. Etting, paymaster United States Army, for faithful and meritorious services during the war, to date from April 13, 1867.

Major Robert Morrow paymaster United States Army, for faithful and meritorious services during the war, to date from May 9, 1867.

Major Isaac S. Stewart, paymaster United States Army for faithful and meritorious services during the war, to date from October 18, 1867.

Major Dwight Bannister, paymaster United States Army, for faithful and meritorious services during the war, to date from March 3, 1868.

Brevet Major Sumner H. Lincoln, first lieutenant in the Twenty-sixth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Major Andrew P. Caraher, first lieutenant in the Forty-third Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Major William J. L. Nicodemus, captain in the Twelfth Regiment United States Infantry, for gallant and meritorious services in New Mexico in 1862, and with the Army of the Potomac in 1863, to date from March 13, 1865.

Brevet Major Charles McClure, captain and commissary of subsistence United States Army, for gallant and meritorious services in the field with the Army of the Potomac in 1862, to date from August 17, 1866.

Brevet Major John M. Duffy, captain in the Twenty-second Regiment United States Infantry, for gallant and meritorious services in the battle of Missionary Ridge, Tenn., to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 8, 1868.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be lieutenant-colonel by brevet.

Major George W. Wallace, of the Sixth Regiment United States Infantry, for faithful and meritorious services connected with the organi-

zation of the Volunteer armies of the United States, to date from May 25, 1864.

To be colonel by brevet.

Brevet Lieutenant-Colonel George W. Wallace, major of the Sixth Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 13, 1865.

To be brigadier-general by brevet.

Brevet Colonel George W. Wallace, major of the Sixth Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *December 8th*, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be colonels by brevet.

Brevet Lieutenant-Colonel Andrew J. McNett, captain in the Forty-fourth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Lieutenant-Colonel Garrick Mallery, captain in the Forty-third Regiment United States Infantry, for gallant and meritorious services in the defense of Washington at Fort Stevens, D. C., July 12, 1864, to date from March 2, 1867.

Brevet Lieutenant-Colonel Arthur MacArthur, jr., captain in the Thirty sixth Regiment United States Infantry, for gallant and meritorious services in the battle of Atlanta, Ga., to date from March 2, 1867.

Brevet Lieutenant-Colonel Thomas W. Sweeney, major of the Sixteenth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Lieutenant-Colonel Henry A. Du Pont, captain in the Fifth Regiment United States Artillery, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Lieutenant Colonel Charles McCormick, surgeon United States Army, for faithful and meritorious services during the rebellion, to date from March 13, 1865.

Brevet Lieutenant-Colonel Samuel N. Benjamin, captain in the Second Regiment United States Artillery, for distinguished services and gallant conduct during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *December 8th*, 1868.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be brigadier-generals by brevet.

Brevet Colonel Levi C. Bootes, major of the Twenty-sixth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Colonel George A. Forsyth, major of the Ninth Regiment United States Cavalry, for gallant conduct and meritorious services in an engagement with hostile Indians on the Arickaree Fork of the Republican River on the 17th, 18th, 19th, and 20th days of September, 1868, to date from September 17, 1868.

Brevet Colonel Daniel McClure, assistant paymaster-general United States Army, for faithful and meritorious services during the war, to date from October 15, 1867.

Brevet Colonel Robert Macfeely, major and commissary of subsistence United States Army, for faithful and meritorious services in his Department during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *December 8th*, 1868.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be major-general by brevet.

Brevet Brigadier General James B. Fry, lieutenant-colonel and assistant adjutant-general United States Army, for faithful and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *December 8th*, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be major-generals by brevet.

Brevet Brigadier-General H. Berdan, late colonel of the First Regiment of Sharpshooters, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 13, 1865.

Hector Tyndale, late brigadier-general of Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *December 8th*, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be captains by brevet.

Warren Goodale, late first lieutenant of the One hundred and fortieth Regiment United States Colored Troops, for faithful and meritorious services during the war, to date from March 13, 1865.

E. Aaron Gove, late first lieutenant of the Thirty-third Illinois Volunteers, for gallant conduct in battle, particularly at Port Gibson, Champion Hills, Big Black River Bridge, and Vicksburg, to date from March 13, 1865.

Thomas Montgomery, late first lieutenant of the One hundred and seventieth New York Volunteers, for gallantry and efficient services during the war, to date from March 13, 1865.

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William L. Street, late first lieutenant of the Eighty eighth Pennsylvania Volunteers, for gallant and meritorious services at the battle of Bull Run (2d), Va., to date from March 13, 1865.

Richard Baylis, late first lieutenant and adjutant of the Fifth Michigan Cavalry, for gallant and meritorious services in the battle of Trevillian Station, Va., to date from March 13, 1865.

Brevet First Lieutenant John Reade, late second lieutenant of the Fifty-seventh Massachusetts Volunteers, for faithful services during the campaigns of 1864 and 1865, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *December 8th*, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be majors by brevet.

William B. C. Duryee, late captain and assistant adjutant-general of Volunteers, for gallant and meritorious services in the battle of Antietam, Md., to date from March 13, 1865.

Brevet Captain E. Aaron Gove, late first lieutenant of the Thirty-third Illinois Volunteers, for gallant conduct in battle, particularly at Port Gibson, Champion Hills, Big Black River Bridge, and Vicksburg, to date from March 13, 1865

Charles E. Grant, late captain of the Fifty-fifth Massachusetts Volunteers, for gallantry on James Island, S. C., July 2, 1864, to date from March 13, 1865.

Josiah C. Hall, late captain of the Fifty-fifth Massachusetts Volunteers, for gallantry at Honey Hill, S. C., November 30, 1864, and for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet Captain William L. Street, late first lieutenant of the Eighty-eighth Pennsylvania Volunteers, for gallant and meritorious services at the battle of Fredericksburg, Va., December 12th and 13th, 1862, to date from March 13, 1865.

Brevet Captain Richard Baylis, late first lieutenant and adjutant of the Fifth Michigan Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

Edgar W. Warren, late commissary of subsistence of Volunteers, for gallant and meritorious conduct in the battle of Gettysburg, Pa., July 2, 1863, to date from March 13, 1865.

Leander S. Callaghan, late captain of the Nineteenth New York Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *December 8th*, 1866.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be lieutenant-colonels by brevet.

Isaac F. Galloupe, late surgeon of the Seventeenth Massachusetts Volunteers, for faithful and meritorious services during the war, to date from March 13, 1865.

John W. Byron, late major of the Eighty-eighth New York Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Thomas Newlan, late major of the Fifty eighth Illinois Volunteers, for meritorious services during the war, to date from March 13, 1865.

Albert H. Winslow, late major of the Eighth Ohio Volunteers, for gallant and meritorious services in the battle of Gettysburg, Pa., to date from March 13, 1865.

Brevet Major Richard Baylis, late first lieutenant and adjutant of the Fifth Michigan Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Major Edgar W. Warren, late commissary of subsistence of Volunteers, for gallant and meritorious services in the battle of Five Forks, Va., April 1, 1865, to date from April 1, 1865.

Felix Agnus, late major of the One hundred and sixty-fifth New York Volunteers, for gallant and meritorious services in the battles of Gaines' Mills, Va., June 27, 1862, to date from March 13, 1865.

Additional Paymaster Jesse Bowen, United States Volunteers, for faithful and meritorious services in the Pay Department during the war, to date from March 2, 1867.

James B. Coit, late major of the Fourteenth Connecticut Volunteers, for gallant and meritorious services at the battle of Antietam, Md., to date from March 13, 1865.

John B. Dennis, late additional paymaster of Volunteers, for gallant and meritorious services at Morris Island, S. C., in July, August, and September, 1863, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *December 8th*, 1868.

To the Senate of the United States:

I nominate the person herein named for appointment by brevet in the Volunteer force:

To be first lieutenant by brevet.

John Reade, late second lieutenant of the Fifty seventh Massachusetts Volunteers, for faithful services during the campaigns of 1864 and 1865, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *December 8th*, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be colonels by brevet.

Brevet Lieutenant-Colonel John W. Byron, late major of the Eighty-eighth New York Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Lieutenant-Colonel Albert H. Winslow, late major of the Eighth Ohio Volunteers, for gallant and meritorious services in the campaign from the Wilderness to Petersburg, Va., to date from March 13, 1865.

Charles B. Norton, late lieutenant-colonel and quartermaster of Volunteers, for meritorious services in the field during the war, to date from March 13, 1865.

Brevet Lieutenant-Colonel Edgar W. Warren, late commissary of subsistence of Volunteers, for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet Lieutenant Colonel Felix Agnus, late major of the One hundred and sixty-fifth New York Volunteers, for gallant and meritorious services in the battle of Port Hudson, La., to date from March 13, 1865.

John F. Marsh, late lieutenant-colonel of the Twelfth New Hampshire Volunteers, for gallant and meritorious services in the battle of Chancellorsville, Va., to date from March 13, 1865.

Brevet Lieutenant-Colonel James B. Coit, late major of the Fourteenth Connecticut Volunteers, for gallant and meritorious services at the battle of Gettysburg, Pa., to date from March 13, 1865.

Brevet Lieutenant-Colonel John B. Dennis, late additional paymaster of Volunteers, for gallant and meritorious services at the battle of Drury's Bluff, May 16, 1864, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *December 8th*, 1868.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be brigadier-generals by brevet.

H. Berdan, late colonel of the First Regiment of Sharpshooters, for gallant and meritorious services in the battle of Chancellorsville, Va., to date from March 13, 1865.

Alexander Chambers, late colonel of the Sixteenth Iowa Volunteers, for gallant and meritorious services in the battles of Champion Hills, Miss., February 4, 1864, and Meridian, Miss., February 14, 1864, to date from March 13, 1865.

Brevet Colonel Charles A. Carleton, late lieutenant-colonel and assistant adjutant-general, for gallant and meritorious services during the war, to date from March 13, 1865.

William H. Christian, late colonel of the Twenty sixth New York Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Colonel Charles B. Norton, late lieutenant-colonel and quartermaster of Volunteers, for meritorious services in the field during the war, to date from March 13, 1865.

Brevet Colonel Felix Agnus, late major of the One hundred and sixty-fifth New York Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Colonel William W. Dudley, late lieutenant-colonel of the Nineteenth Indiana Volunteers, for gallantry at the battle of Gettysburg, Pa., July 3, 1863, to date from March 13, 1865.

Brevet Colonel James B. Coit, late major of the Fourteenth Connecticut Volunteers, for gallant and meritorious services at the battle of the Wilderness, Va., to date from March 13, 1865.

Brevet Colonel John B. Dennis, late additional paymaster of Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *December 8th*, 1868.

To the Senate of the United States:

I nominate Masters Edward S. Keyser, Thomas Nelson, De Witt C. Kells, Felix McCurley, John McGowan, jr., Gerhard C. Schulze, Edwin H. Miller, Henry C. Fields, Thomas F. Wade, James G. Green, George E. Wingate, George R. Durand, Charles A. Schetky, John K. Winn, Thomas M. Gardner, Charles H. Rockwell, Charles M. Anthony, James M. Forsyth, and George F. Wilkins to be lieutenants in the Navy, to fill vacancies in that grade; and

I nominate Ensigns Gilbert Morton, Wm. P. Randall, George B. Livingston, John J. Brice, F. A. Miller, Wm. H. Mayer, jr., Henry G. Macy, Oscar W. Farenholt, Wm. B. Newman, Andrew J. Iverson, Wm. T. Buck, Joseph Marthon, Edward T. Strong, Wm. H. Brice, Wm. H. Webb, Ezra Leonard, David G. McRitchie, Zera L. Tanner, Joseph E. Jones, William Welch, Samuel Belden, Henry R. Baker, Eugene W. Watson, John F. Merry, Wm. W. Rhoades, John C. Morong, Wm. C. Gibson, Wm. B. Arrants, Thomas G. Grove, Walter Sargent, James A. Chesley, Wm. A. Morgan, and Wm. L. Howorth to be masters in the Navy, to fill vacancies in that grade.

ANDREW JOHNSON.

WASHINGTON CITY, 7 *December*, 1868.

To the Senate of the United States:

I nominate Lieutenants N. Mayo Dyer, Francis M. Greene, Edward Hooker, Henry H. Gorringe, Alonzo W. Muldam, and Charles O'Neil to be lieutenant-commanders in the Navy, to fill vacancies in that grade.

ANDREW JOHNSON.

WASHINGTON CITY, 7 *December*, 1868.

To the Senate of the United States:

I nominate A. S. Taylor to be a first lieutenant in the Marine Corps, from the 30 July, 1868, vice First Lieutenant C. H. Daniels, resigned.

James M. T. Young to be a first lieutenant in the Marine Corps, from the 9th August, 1868, vice First Lieutenant F. L. Church, resigned.

Edward T. Bradford, of New York, to be a second lieutenant in the Marine Corps, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON CITY, 7 *December*, 1868.

To the Senate of the United States:

I nominate Thomas C. Walton to be a surgeon in the Navy, from the 22d October, 1868, vice Surgeon C. D. Maxwell, transferred to retired list.

Theoron Wolverton to be a surgeon in the Navy, from the 23d November, 1868, vice Surgeon Louis Beuzen, deceased.

Henry Stewart, of Louisiana, to be an assistant surgeon in the Navy, from the 22d October, 1868, to fill a vacancy; and

Abel F. Price, of Pennsylvania, to be an assistant surgeon in the Navy, from the 10th November, 1868, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON CITY, 7 *December*, 1868.

To the Senate of the United States:

In accordance with an act providing for the restoration of Lieutenant-Commander Trevett Abbott, of the United States Navy, to the active list of the Navy, approved May 19, 1868, I nominate that officer to be a com-

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mander in the Navy on the active list, from the 12th December, 1867, to fill a vacancy and to take rank next after Commander Wm. P. McCann.

ANDREW JOHNSON.

WASHINGTON, CITY, 7 *December*, 1868.

To the Senate of the United States:

I nominate D. B. Batione to be a paymaster in the Navy, from the 26 August, 1868, vice Paymaster George Plunkett, resigned.

William F. A. Torbert to be a paymaster in the Navy, from the 16th September, 1868, vice Paymaster Judson S. Post, dismissed.

Passed Assistant Paymaster E. H. Cushing, to be a paymaster in the Navy, from the 16th September, 1868, vice Paymaster C. E. Chenery, dismissed.

Henry Gerrard to be a passed assistant paymaster in the Navy, from the 26 August, 1868, vice Passed Assistant Paymaster D. B. Batione, promoted.

John F. Tarbell to be a passed assistant paymaster in the Navy, from the 16th September, 1868, vice Passed Assistant Paymaster W. F. A. Torbert, promoted.

Assistant Paymaster J. Goodwin Hobbs to be a passed assistant paymaster in the Navy, from the 16th September, 1868, vice Passed Assistant Paymaster E. H. Cushing, nominated for promotion.

George W. Long, of Missouri, to be an assistant paymaster in the Navy, from the 22d October, 1868, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON CITY, 7 *December*, 1868.

To the Senate of the United States:

I nominate Charles H. Poor to be a rear-admiral in the Navy, from the 20 September, 1868, vice Rear-Admiral H. K. Hoff, transferred to the retired list.

George F. Emmons to be a commodore in the Navy, from the 20 September, 1868, vice Commodore C. H. Poor, promoted.

Captain Edward Middleton to be a commodore in the Navy, from the 26th November, 1868, vice Commodore A. H. Kilty, transferred to the retired list.

Richard T. Renshaw to be a captain in the Navy, from the 20 September, 1868, vice Captain George F. Emmons, promoted.

Commander Johnston B. Creighton, to be a captain in the Navy, from the 26th November, 1868, vice Captain Edward Middleton, nominated for promotion.

Joseph P. Fyffe to be a commander in the Navy, from the 2d December, 1867, vice Commander George H. Cooper, promoted.

Richard W. Meade, jr., to be a commander in the Navy, from the 20 September, 1868, vice Commander R. T. Renshaw, promoted; and

Lieutenant-Commander Robert Boyd, jr., to be a commander in the Navy, from the 26 November, 1868, vice Commander J. B. Creighton, nominated for promotion.

ANDREW JOHNSON.

WASHINGTON CITY, 7 *December*, 1868.

To the Senate of the United States:

I nominate Midshipmen B. F. Tilley, Harry Knox, Frederick Collins, S. A. Simons, J. L. Stickney, W. B. H. Frailey, W. M. Paul, C. R. Meeker, L. D. Webster, C. P. Shaw, C. H. West, J. P. Merrell, J. G. Eaton, Geo. H. Church, W. J. McGunnegle, C. Belknap, E. W. Hen-

ricks. W. H. Jacques, F. P. Gilmore, H. C. Hunter, G. S. Davol, E. H. C. Leutze, U. Sebree, P. Benjamin, A. R. Conden, Geo. J. Mitchell, J. T. Sullivan, F. A. Howes, E. C. Pendleton, G. C. Clay, Willie Swift, H. B. Mansfield, F. G. Hyde, C. E. Carmody, G. M. Williams, E. D. F. Heald, F. M. Symonds, J. M. Wainwright, C. W. Christopher, J. W. Hageman, E. P. Wood, W. Goodwin, E. S. Jacob, Albert Ross, A. A. Boyd, J. W. Miller, R. Clover, E. W. Bridge, J. M. Miller, Wm. Little, J. F. Meigs, F. M. Wise, W. D. Nicholson. John V. B. Bleecker, Charles E. Brown, Andrew Dunlap, jr., Richard Rush, F. W. Nichols, E. H. Gheen, W. L. Field, P. T. Cunningham, H. E. Jones, E. P. McClellan, L. C. Logan, F. H. Paine, C. H. Arnold, E. W. Sturdy, E. W. Very, H. Perkins, W. T. Cowles, F. W. Greenleaf, A. G. Paul, A. Craven, E. W. Remey, J. M. Grimes. J. W. Cowrie, M. Bolles, E. D. Taussig, J. E. Pillsbury, E. Dennison, A. Forée. W. H. Reeder, F. H. Delano, H. C. English, D. Delehanty, H. G. O. Colby, and Chas. O. Allibone to be ensigns in the Navy, to fill vacancies in that grade.

ANDREW JOHNSON.

WASHINGTON CITY, 7 *December*, 1868.

To the Senate of the United States:

In accordance with the joint resolutions of Congress approved 11 July, 1868. I nominate Captain James F. Armstrong, now on the retired list, to be a captain in the Navy on the active list, from the 25 July, 1866, and to take rank next after Captain Fabius Stanly.

ANDREW JOHNSON.

WASHINGTON CITY, 11*th December*, 1868.

The messages were read.

Ordered, That the nomination of Henry A. Smythe be referred to the Committee on Foreign Relations.

Ordered, That the nomination of Benjamin F. James be referred to the Committee on Patents and the Patent Office.

Ordered, That the nomination of William J Cullen be referred to the Committee on Indian Affairs.

Ordered, That the nomination of Alexander Cummings be referred to the Committee on Finance.

Ordered, That the nomination of Alfred Macy be referred to the Committee on Commerce.

Ordered, That the nomination of Nicholas Callan be referred to the Committee on the District of Columbia.

Ordered, That all messages received this day containing nominations for appointment or promotion in the Army of the United States and Volunteer force be severally referred to the Committee on Military Affairs and the Militia and printed in confidence for the use of the Senate.

Ordered, That the nominations of Edward S. Keyser and others, N. Mayo Dyer and others, A. S. Taylor, James M. T. Young, and Edw'd T. Bradford, Thomas C. Walton and others, Trevett Abbot, D. B. Batione and others, Chas. H. Poor and others, B. F. Tilley and others, and James F. Armstrong be referred to the Committee on Naval Affairs.

The convention between the United States of America and the Kingdom of Wurtemberg, upon the subject of naturalization, concluded at Stuttgard the 27th July, 1868, was read the first time.

On motion by Mr. Sumner,

Ordered, That the convention, together with the message, be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

The convention between the United States of America and the Grand Duchy of Hesse, on the subject of naturalization, concluded at Darmstadt the 1st of August, 1868, was read the first time.

On motion by Mr. Sumner,

Ordered, That the said convention, together with the protocol and message, be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

The convention between the United States of America and the Grand Duchy of Baden, on the subject of naturalization, concluded at Carlsruhe the 19 July, 1868, was read the first time.

On motion by Mr. Sumner,

Ordered, That the said convention, together with the message, be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

FRIDAY, DECEMBER 18, 1868.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate James A. Magruder, Thomas Blagden, John A. Rowland, and Henry Naylor to be members of the levy court of the county of Washington, District of Columbia.

ANDREW JOHNSON.

EXECUTIVE MANSION, *December* 15, 1868.

To the Senate of the United States:

I nominate James N. Marks to be collector of customs for the district of Philadelphia, in the State of Pennsylvania, in place of Joseph W. Cake, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 14*th*, 1868.

To the Senate of the United States:

I nominate Archibald M. Green to be collector of internal revenue 24th district of New York, vice W. A. Halsey, who has tendered his resignation.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 16, 1868.

To the Senate of the United States:

I nominate Thomas C. McCall to be collector of internal revenue 6th district of Iowa, vice A. Head, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 16, 1868.

To the Senate of the United States:

I nominate Samuel T. Maddox to be assessor of internal revenue 3d district of New York, vice Thomas Wellwood, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 16, 1868.

To the Senate of the United States:

I nominate Horatio Bisbee, junior, to be attorney of the United States for the northern district of Florida, in the place of Nathaniel Usher, removed.

ANDREW JOHNSON.

EXECUTIVE MANSION, *December* 16, 1868.

To the Senate of the United States:

I nominate Converse W. C. Rowell to be attorney of the United States for the Territory of Arizona, in the place of John A. Rush, declined.

ANDREW JOHNSON.

EXECUTIVE MANSION, *December* 16, 1868.

To the Senate of the United States:

I nominate Michael P. Callan, Samuel C. Mills, J. W. Barnaclo, and Richard B. Nixon to be justices of the peace in and for the county of Washington, in the District of Columbia.

ANDREW JOHNSON.

EXECUTIVE MANSION, *December* 16, 1868.

To the Senate of the United States:

I nominate John P. O'Neill to be attorney of the United States for the eastern district of Pennsylvania, in the place of Charles Gilpin, whose term of office has expired.

ANDREW JOHNSON.

EXECUTIVE MANSION, *December* 16, 1868.

To the Senate of the United States:

I nominate G. Gordon Adam to be attorney of the United States for the southern district of Mississippi, in the place of Robert Leachman, resigned.

ANDREW JOHNSON.

EXECUTIVE MANSION, *December* 16, 1868.

To the Senate of the United States:

I nominate Frederick A. Dockray to be attorney of the United States for the southern district of Florida, in the place of H. G. Plantz, resigned.

ANDREW JOHNSON.

EXECUTIVE MANSION, *December* 16, 1868.

To the Senate of the United States:

I nominate Samuel T. Hooker to be marshal of the United States for the district of Wisconsin, in the place of Cassius Fairchild, deceased

ANDREW JOHNSON.

EXECUTIVE MANSION, *December* 16, 1868.

To the Senate of the United States:

I nominate Joseph S. C. Rowland to be marshal of the United States for the western district of Arkansas, in the place of Luther C. White, suspended.

ANDREW JOHNSON.

EXECUTIVE MANSION, *December* 16, 1868.

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To the Senate of the United States:

I nominate George Coulson to be deputy postmaster at Thorntown, in the county of Boone and State of Indiana, in place of Israel Curry, resigned, the said George Coulson having been appointed during the last recess of the Senate.

ANDREW JOHNSON.

WASHINGTON, *Dec.* 16, 1868.

To the Senate of the United States:

I nominate Peter P. Bailey to be deputy postmaster at Fort Wayne, in the county of Allen and State of Indiana, in place of Moses Drake, deceased, the said Peter P. Bailey having been appointed during the last recess of the Senate.

ANDREW JOHNSON.

WASHINGTON, *December* 16, 1868.

To the Senate of the United States:

I nominate Frederic C. Humphreys to be deputy postmaster at Pensacola, in the county of Escambia and State of Florida, in place of Theodore Bissell, removed for unfitness on account of age and infirmity.

ANDREW JOHNSON.

WASHINGTON, *Dec'r* 16, 1868.

To the Senate of the United States:

I nominate José Manuel Gallegos, of New Mexico, who was commissioned during the recess of the Senate, to be superintendent of Indian affairs for the Territory of New Mexico.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 16*th*, 1868.

To the Senate of the United States:

I nominate Robert F. Piatt, of Arizona Territory, to be register of the land office at Prescott, Arizona Territory.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 16, 1868.

To the Senate of the United States:

I nominate George S. Gale, of New York, to be pension agent (widow's agency) at New York City, New York, vice Alpheus Fobes.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 16, 1868.

To the Senate of the United States:

I nominate Stephen F. Chadwick, of Oregon, to be receiver of public moneys for the district of lands subject to sale at Roseburg, Oregon, vice Addison R. Flint, whose term of office has expired.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 16, 1868.

To the Senate of the United States:

I nominate Isaac Newton to be warden of the jail for the District of Columbia, in place of William H. Huestis.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 16, 1868.

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To the Senate of the United States:

I nominate the person herein named for appointment in the Army of the United States:

PAY DEPARTMENT.

To be paymaster.

William P. Gould, late additional paymaster of Volunteers, October 18, 1867, vice Stewart, deceased.

ANDREW JOHNSON.

WASHINGTON, *December* 16, 1868.

To the Senate of the United States:

I nominate Walter H. Smallwood to be deputy postmaster at New Orleans, in the county of Orleans and State of Louisiana, in place of Walter M. Smallwood, special agent in charge.

ANDREW JOHNSON.

WASHINGTON, *Dec.* 16, 1868.

To the Senate of the United States:

I nominate Anthony J. Smith to be deputy postmaster at Hanover, in the county of York and State of Penna., in place of John S. Forrest, suspended for misconduct in office.

ANDREW JOHNSON.

WASHINGTON, *December* 16, 1868.

To the Senate of the United States:

I nominate Joseph Ralston to be deputy postmaster at Defiance, in the county of Defiance and State of Ohio, in place of Charles W. Evans, suspended for misconduct in office during the last recess of the Senate.

ANDREW JOHNSON.

WASHINGTON, *December* 16, 1868.

To the Senate of the United States:

I nominate John N. Cramer to be deputy postmaster at Rhinebeck, in the county of Dutchess and State of New York, in place of John M. Keese, resigned.

ANDREW JOHNSON.

WASHINGTON, *Dec* 17, 1868.

To the Senate of the United States:

I nominate Orton Hackett to be deputy postmaster at Baton Rouge, in the county of E. Baton Rouge and State of Louisiana, in place of C. G. Breckenridge, deceased.

ANDREW JOHNSON.

WASHINGTON, *Dec.* 17, 1868.

To the Senate of the United States:

I nominate Joseph E. Smith to be collector of customs for the district of Wiscasset, in the State of Maine, he having been appointed, during the recess of the Senate, in place of Erastus Foote, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 16, 1868.

To the Senate of the United States:

I nominate Andrew J. Goss to be collector of customs for the district of St. Augustine, in the State of Florida, he having been appointed, during the recess of the Senate, in place of Eleazer K. Foster, jr., resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 16, 1868.

To the Senate of the United States:

I nominate Hiram Ketchum, jr., to be collector of customs for the district of Alaska, he having been appointed, during the recess of the Senate, under the act approved July 27, 1868.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 16, 1868.

To the Senate of the United States:

I nominate James A. Maryman to be surveyor of customs for the port of Llewellensburg, in the State of Maryland, he having been appointed, during the recess of the Senate, in place of Stephen W. Adams, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 16, 1868.

To the Senate of the United States:

I nominate Moore N. Falls to be collector of internal revenue 3d district of Maryland, vice William P. Smith, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 17, 1868.

To the Senate of the United States:

I nominate Daniel H. Stanton to be assessor of internal revenue for the 17th district of New York, in place of Uriah D. Meeker, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 16, 1868.

To the Senate of the United States:

I nominate Thomas B. Wade, of Montana Territory, to be agent for the Blackfeet and other neighboring tribes of Indians, vice George B. Wright, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 17, 1868.

To the Senate of the United States:

I nominate John T. Smith to be deputy postmaster at Springfield, in the county of Sangamon and State of Illinois, in place of Fresco Wright, suspended for misconduct in office.

ANDREW JOHNSON.

WASHINGTON, *Dec.* 17, 1868.

To the Senate of the United States:

I transmit herewith a communication from the Attorney-General in reference to the suspension from office on the 19th day of August last, during the recess of the Senate, of Luther C. White, marshal of the

United States for the western district of Arkansas, together with the evidence and reasons for my action in the case.

Joseph S. C. Rowland was designated to perform temporarily the duties and is now in charge of the office.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 16, 1868.

To the Senate of the United States:

I transmit herewith the evidence and reasons for the suspension from office on the 30th day of July last, during the recess of the Senate, of Charles W. Evans, postmaster at Defiance, Defiance County, Ohio.

Joseph Ralston was designated to perform temporarily the duties, and is now in charge of the office.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 16, 1868.

To the Senate of the United States:

I transmit herewith the evidence and reasons for the suspension from office on the 4th day of August last, during the recess of the Senate, of John S. Forrest, postmaster at Hanover, York County, Pennsylvania.

Anthony J. Smith was designated to perform temporarily the duties, and is now in charge of the office.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 16, 1868.

To the Senate of the United States:

I transmit herewith the evidence and reasons for the suspension from office on the 30th of July last, during the recess of the Senate, of R. W. Taliaferro, postmaster at New Orleans, in the State of Louisiana.

Walter M. Smallwood was designated to perform temporarily the duties, and is now in charge of the office.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 16, 1868.

To the Senate of the United States:

I transmit herewith the evidence and reasons for the suspension from office on the 12th day of October last, during the recess of the Senate, of Thomas Wellwood, assessor of internal revenue for the third district of New York.

Samuel T. Maddox was designated to perform temporarily the duties, and is now in charge of the office.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 16, 1868.

The messages were read.

On motion by Mr. Harlan,

The Senate, by unanimous consent, proceeded to consider the nomination of John A. Rowland; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Ordered, That the nominations of James A. Magruder, Thomas Blagden, and Henry Naylor, Michael P. Callen and others, and Isaac Newton be referred to the Committee on the District of Columbia.

Ordered, That the nominations of James N. Marks, Joseph E. Smith, Andrew J. Gross, Hiram Ketchum, and James A. Maryman be referred to the Committee on Commerce.

Ordered, That the nominations of Thomas C. McCall, Archibald M. Green, Samuel T. Maddox, Moore N. Falls, Daniel H. Stanton, and the papers relating to the suspension of Thomas Wellwood be referred to the Committee on Finance.

Ordered, That the nominations of Horatio Bisbee, jr., Converse W. C. Rowell, John P. O'Neill, G. Gordon Adam, Frederick A. Dockray, Samuel T. Hooker, and Joseph S. C. Rowland, and the papers relating to the suspension of Luther C. White be referred to the Committee on the Judiciary.

Ordered, That the nominations of George Coulter, Peter P. Bailey, F. C. Humphreys, Walter H. Smallwood, Anthony J. Smith, Joseph Ralston, John N. Cramer, Orton Hackett, and John T. Smith, and the papers relating to the suspension of Chs W. Evans, John S. Forrest R. W. Taliaferro, and Presco Wright be referred to the Committee on Post-Offices and Post-Roads.

Ordered, That the nominations of José Manuel Gallegos and Thomas B. Wade be referred to the Committee on Indian Affairs.

Ordered, That the nominations of Robert F. Piatt and Stephen F. Chadwick be referred to the Committee on Public Lands.

Ordered, That the nomination of George S. Gale be referred to the Committee on Pensions.

Ordered, That the nomination of William P. Gould be referred to the Committee on Military Affairs and the Militia.

Mr. Grimes, from the Committee on Naval Affairs, to whom was referred, the 14th instant, the nominations of Charles S. Keyser, Thomas Nelson, DeWitt C. Kells. Felix McCurley, John McGowan, jr., Gerhard C. Schulze, Edwin H. Miller, Henry C. Nields, Thomas F. Wade, James G. Green, George E. Wingate, George R. Durand, Charles A. Schetky, John K. Winn, Thomas M. Gardner, Charles H. Rockwell, Charles M. Anthony, James M. Forsyth, George F. Wilkins, Gilbert Morton, William P. Randall, George B. Livingston, John J. Brice, F. A. Miller, Wm. H. Mayer, jr., Henry G. Macy, Oscar W. Farenholt, Wm. B. Newman, Andrew J. Iverson, Wm. T. Buck, Joseph Marthon, Edward T. Strong, Wm. H. Brice, Wm. H. Webb, Ezra Leonard, David G. McRitchie, Zera L. Tanner. Joseph E. Jones, Wm. Welch, Sam'l Belden, Henry R. Baker, Eugene W. Watson, John F. Merry, Wm. W. Rhoades, John C. Morong, Wm. C. Gibson,. Wm. B. Arrants, Thomas G. Grove, Walter Sargent, James A. Chesley, Wm. A. Morgan, Wm. L. Howorth, N. Mayo Dyer, Francis M. Greene, Edward Hooker, Henry G. Gorringe, Alonzo W. Muldam, Charles O'Neil, A. S. Taylor, James M. T. Young, Edward T. Bradford, Thomas C. Walton, Theoron Woolverton, Henry Stewart, Abel T. Price, Trevett Abbot, D. B. Batione, Wm. F. A. Torbert, E. H. Cushing, Henry Gerrard, John F. Tarbell, J. Goodwin Hobbs, George W. Long, Charles H. Poor, George F. Emmons, Edward Middleton, Richard T. Renshaw, Johnston B. Creighton. Joseph P. Tyffe, Richard W. Meade, jr., Robert Boyd, jr., B. F. Tilley, Harry Knox, Frederick Collins, S. A. Simons, J. L. Stickney, W. B. H. Frailey, W. M. Paul. C. R. Mecker, L. D. Webster, C. P. Shaw, C. H. West, J. P. Merrell, J. G. Eaton, George T. Church, W. J. McGunnegle, C. Belknap, E. W. Henricks, W. H. Jacques, F. P. Gilmore, H. C. Hunter, G. S. Davol, E. H. C. Leutze, U. Sebre, P. Benjamin, A. R. Congden, George J. Mitchell, J. T. Sullivan, T. A. Howes, E. C. Pendleton, G. C. Clay, Willie Swift, H. B. Mansfield, F. G. Hyde, R. E. Carmody, G. M. Williams, E.

D. Heald, F. M. Symonds, J. M. Wainwright, C. W. Christopher, J. W. Hageman, E. P. Wood, W. Goodwin, E. S. Jacob, Albert Ross, A. A. Boyd, J. W. Miller, R. Clover, E. W. Bridge, J. M. Miller, Wm. Little, J. F. Meigs, F. M. Wise, W. D. Nichols, John V. D. Bleecker, Charles E. Brown, Andrew Dunlap, jr., Richard Rush, F. W. Nichols, E. H. Gheen, W. L. Field, P. T. Cunningham, H. E. Jones, E. P. McCellan, S. C. Logan, F. H. Paine, C. H. Arnold, E. W. Sturdy, E. W. Very, H. Perkins, W. J. Cowles, F. W. Greenleaf, A. G. Paul, A. Craven, E. W. Remy, J. M. Grimes, J. W. Cowrie, M. Bolles, E. D. Taussig, J. E. Pillsbury, E. Dennison, A. Foree, W. H. Reeder, T. H. Delano, H. C. English, D. Delehanty, H. G. O'Colby, and Charles O. Allibone, reported favorably thereon.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 14th instant, the nomination of John A. Smythe, reported adversely thereon.

On motion by Mr. Morgan,

Ordered, That the Committee on Post-Offices and Post-Roads be discharged from the consideration of the nomination of John N. Cramer.

Whereupon

The Senate, by unanimous consent, proceeded to consider the said nomination; and

Resolved, That the Senate advise and consent to the appointment of John N. Cramer, agreeably to the nomination.

On motion by Mr. Ross,

Ordered, That the following-named treaties be recommitted to the Committee on Indian Affairs, to wit:

Between the United States and the Pottowattomie tribe of Indians, concluded at the agency in Kansas on the 3d of February, 1863.

Between the United States and the Comanche, Kioway, and Apache tribes of Indians, made and concluded at the city of Washington the 6th day of April, 1863.

Between the United States and the Swan Creek and Black River Chippewas and the Munsees or Christian Indians of Kansas, concluded at the city of Washington the 25th of February, 1864.

Between the United States and the Shawnee Indians, made at the city of Washington the 18th of March, 1864.

Between the United States and the Kansas tribe of Indians, concluded the 11th of June, 1864.

Between the United States and the Utah, Yampah-Ute, Pahvent, San, Pete Ute, Tim-p-nogs, and Cumumbah bands of the Utah Indians, made and concluded at Spanish Fork, Indian Farm, in the Territory of Utah, the 8th day of June, 1865.

Between the United States and the Shawnee Indians, dated March 1, 1866, with a supplementary article dated March 14, 1866.

Between the United States and the Uintah and Yampa or Grand River Bands of Utah Indians, concluded the 29th day of August, 1866.

Between the United States and the Sacs and Foxes of Missouri, concluded at Washington the 19th day of February, 1867.

Between the United States and the Kickapoo tribe of Indians, made and concluded at Washington, D. C., the 28th day of February, 1867.

Between the United States and the Stockbridge and Munsee tribe of Indians, concluded at Washington, D. C., on the 15th day of February, 1867.

Between the United States and the Shawnee tribe of Indians of Kansas, concluded on the 2d March, 1866.

Between the United States and the Kansas or Kaw tribe of Indians, concluded in Washington the 13th of February, 1867.

Between the United States and the Swan Creek and Black River Chippewas and the Munsee or Christian Indians, made June 1, 1868.

Between the United States and the Cherokee Nation of Indians, supplemental to the treaty of July 19, 1866, concluded at Washington, D. C., July 9, 1868.

Between the United States and the Great and Little Osage tribe of Indians, concluded the 27th day of May, 1868.

TUESDAY, JANUARY 5, 1869.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Charles C. Dane as collector of internal revenue 5th district of Massachusetts, vice J. Vincent Browne, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 18, 1868.

To the Senate of the United States:

I nominate George W. Colby to be collector of internal revenue 2nd district of Alabama, vice Chas B. Andrews, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 18, 1868.

To the Senate of the United States:

I nominate Arthur D. Markley to be collector of internal revenue 6th district of Pennsylvania, vice A. B. Longaker, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 18, 1868.

To the Senate of the United States:

I nominate Otis H. Russell to be collector of internal revenue 4th district of Virginia, vice John H. Anderson, whose suspension and removal was concurred in by the Senate.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 18, 1868.

To the Senate of the United States:

I nominate Percy B. Spear to be collector of internal revenue for the seventh district of Pennsylvania, vice M. W. Swayne, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 17, 1868.

To the Senate of the United States:

I nominate Robert K. Byrd to be collector of internal revenue 2d district of Tennessee, vice James T. Abernathy, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 18, 1868.

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To the Senate of the United States:

I nominate William H. Russell to be collector of internal revenue 2nd district of Connecticut, vice John Woodruff, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 18, 1868.

To the Senate of the United States:

I nominate Albert G. Ryan to be collector of internal revenue 1st district of Arkansas, vice Logan H. Roots, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 18, 1868.

To the Senate of the United States:

I nominate Lloyd D. Waddell to be assessor of internal revenue 1st district of Georgia, vice Chas. H. Hopkins, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 18, 1868.

To the Senate of the United States:

I nominate Thomas A. Burditt to be assessor of internal revenue 1st district of Mississippi, vice Wm. J. Britton, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 18, 1868.

To the Senate of the United States:

I nominate Conduce G. Megrue to be assessor of internal revenue 2d district of Ohio, vice M. P. Gaddis, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 18, 1868.

To the Senate of the United States:

I nominate Wm. Cooper Talley to be assessor of internal revenue for the seventh district of Pennsylvania, vice J. Lee Englebert, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 17, 1868.

To the Senate of the United States:

I nominate Robert D. Andrews to be coiner of the United States branch mint at Denver, Colorado, in place of George W. McClure, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 14, 1868.

To the Senate of the United States:

I nominate Thomas N. Stillwell, of Indiana, to be minister resident of the United States to Venezuela.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 18, 1868.

To the Senate of the United States:

I nominate James Davis to be deputy postmaster at Memphis, Tennessee.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 18, 1868.

To the Senate of the United States:

I nominate W. O. Lofland to be collector of internal revenue 1st district of Louisiana, vice James B. Steedman, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 21, 1868.

To the Senate of the United States:

I nominate James Hart to be assessor of internal revenue 3d district of Louisiana, vice A. W. Norcross, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 18, 1868.

To the Senate of the United States:

I nominate Adolph Bouchard to be collector of internal revenue for the third district of Louisiana, vice Eugene Tisdale, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *December* 21, 1868.

The messages were read.

Ordered, That the nominations of Charles C. Dane, George W. Colby, Arthur D. Markley, Otis H. Russell, Percy B. Spear, Robert K. Byrd, Wm. H. Russell, Albert G. Ryan, Lloyd D. Waddell, Thomas A. Burditt, Conduce G. Megrue, William Cooper Talley, Robert D. Andrews, W. O. Lofland, James Hart, and Adolph Bouchard be referred to the Committee on Finance.

Ordered, That the nomination of Thomas N. Stillwell be referred to the Committee on Foreign Relations.

Ordered, That the nomination of James Davis be referred to the Committee on Post Offices and Post-Roads.

Mr. Sherman, from the Committee on Finance, to whom were referred, the 14th of December last, the nomination of Alexander Cummings, and the 18th December last the nomination of Moore N. Falls, reported adversely thereon.

Mr. Sherman, from the Committee on Finance, to whom was referred, this day, the nomination of Conduce G. Megrue, reported favorably thereon.

On motion by Mr. Sherman,

The Senate proceeded, by unanimous consent, to consider the said nomination; and

Resolved, That the Senate advise and consent to the appointment of Conduce G. Megrue, agreeably to the nomination.

Mr. Morrill, of Vt., from the Committee on Finance, to whom were referred, this day, the nominations of Charles C. Dane and William H. Russell, reported favorably thereon.

On motion by Mr. Morrill, of Vermont,

The Senate proceeded, by unanimous consent, to consider the nominations of Charles C. Dane and William H. Russell; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Harlan, from the Committee on the District of Columbia, to whom was referred, the 18th December last, the nomination of Richard B. Nixon, reported favorably thereon.

On motion by Mr. Harlan,

The Senate proceeded, by unanimous consent, to consider the said nomination; and

Resolved, That the Senate advise and consent to the appointment of Richard B. Nixon, agreeably to the nomination.

On motion by Mr. Wilson,

Ordered, That the Committee on Commerce be discharged from the further consideration of the nomination of Alfred Macy.

On motion by Mr. Wilson,

The Senate proceeded, by unanimous consent, to consider the said nomination; and

Resolved, That the Senate advise and consent to the appointment of Alfred Macy, agreeably to the nomination.

Mr. Trumbull, from the Committee on the Judiciary, to whom was referred, the 18th December last, the nomination of Horatio Bisbee, jr., reported favorably thereon.

On motion by Mr. Trumbull,

The Senate proceeded, by unanimous consent, to consider the said nomination; and

Resolved, That the Senate advise and consent to the appointment of Horatio Bisbee, jr., agreeably to the nomination.

Mr. Howard submitted a motion that the Senate reconsider its resolution of this day advising and consenting to the appointment of Horatio Bisbee, jr.

On motion by Mr. Wilson, and by unanimous consent,

Ordered, That the several resolutions this day agreed to advising and consenting to the appointments therein specified be transmitted forthwith to the President of the United States, excepting the resolution advising and consenting to the appointment of Horatio Bisbee, jr.

THURSDAY, JANUARY 7, 1869.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate for reappointment Andrew Van Dyck to be collector of customs for the district of Oswego, in the State of New York.

ANDREW JOHNSON.

WASHINGTON, D. C., *January 7th*, 1869.

To the Senate of the United States:

I nominate John D. McGill to be collector of customs for the district of Georgetown, D. C., in the place of James A. Magruder, whose commission expires January 16th, 1869.

ANDREW JOHNSON.

WASHINGTON, D. C., *January 4th*, 1869.

To the Senate of the United States:

I nominate René J. Fougeray to be assessor of internal revenue, 4th district of Pennsylvania, vice Thomas H. Forsyth, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *January 7th*, 1869.

To the Senate of the United States:

I nominate George H. Penfield to be assessor of internal revenue, 13th district of New York, vice Frederick Cook, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *January 7*, 1869.

To the Senate of the United States:

I nominate William Barber to be engraver for the United States mint at Philadelphia, Pennsylvania, in place of James B. Longacre, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *January 5th*, 1869.

To the Senate of the United States:

I nominate Hallett Kilbourn to be Assistant Secretary of the Treasury, to fill a vacancy existing July 2d, 1868.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 4, 1869.

To the Senate of the United States:

I nominate Isaac W. Webster to be deputy postmaster at Kenosha, in the county of Kenosha and State of Wisconsin, in place of F. S. Lovell, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 6, 1869.

To the Senate of the United States:

I nominate James A. Suydam to be deputy postmaster at Galveston, in the county of Galveston and State of Texas, in place of V. W. Grahn, resigned.

ANDREW JOHNSON.

WASHINGTON, *January* 6, 1869.

To the Senate of the United States:

I nominate James Edmonston, of Louisiana, to be register of the land office at Mobile, Alabama, vice Salmon Dutton, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 7, 1869.

To the Senate of the United States:

I nominate John B. Church, of Colorado, to be receiver of public moneys for the district of lands subject to sale at Central City, Colorado, vice Guy M. Hulett, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 7, 1869.

To the Senate of the United States:

I nominate George W. Wilkinson, of Nebraska, to be agent for the Winnebago Indians on the Missouri River, vice Charles Matthewson, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 7, 1869.

To the Senate of the United States:

I nominate Hampton B. Denman, of New Mexico, to be surveyor-general of the United States for the Territory of New Mexico, vice Benjamin C. Cutler, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 7, 1869.

To the Senate of the United States:

I nominate Philip H. Morgan to be attorney of the United States for the district of Louisiana, in the place of Samuel H. Torrey, removed.

ANDREW JOHNSON.

EXECUTIVE MANSION, *January* 7, 1869.

To the Senate of the United States:

I nominate William G. Farewell, of Michigan, and Franklin K. Hartzell, of Pennsylvania, to be assistant surgeons in the Navy, from the 10th November, 1868, to fill vacancies in that grade.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 5, 1869.

To the Senate of the United States:

I nominate the person herein named for appointment in the Army of the United States, he having passed the examination required by law:

Sergeant-Major Frazier A. Bontelle, of the First Regiment United States Cavalry, to be second lieutenant in the First Regiment United States Cavalry, January 2, 1869, vice ——, the regimental commissary.

ANDREW JOHNSON.

WASHINGTON, *January* 5, 1869.

To the Senate of the United States:

I nominate the person herein named for appointment in the Army of the United States:

Manuel J. Gonzales, late hospital chaplain, to be chaplain of the Ninth Regiment United States Cavalry December 26, 1868, vice Jacobi, retired.

ANDREW JOHNSON.

WASHINGTON, *January* 5, 1869.

To the Senate of the United States:

I nominate the person herein named for appointment in the Army of the United States:

To be post chaplain.

Charles W. Thomas, of Georgia, December 14, 1868, vice Elliott, retired.

ANDREW JOHNSON.

WASHINGTON, *January* 5, 1869.

To the Senate of the United States:

I nominate the officers herein named for promotion in the Army of the United States:

Medical Department.

Assistant Surgeon Philip C. Davis to be surgeon, October 17, 1868, vice Randall, retired.

Assistant Surgeon James F. Weeds to be surgeon, October 27, 1868, vice Holden, retired.

Ordnance Department.

Second Lieutenant Isaac W. Maclay, to be first lieutenant, November 13, 1868, vice Rockwell, deceased.

Second Regiment of Cavalry.

First Lieutenant Axel S. Adams to be captain, November 27, 1868, vice Merrill, promoted to the Seventh Cavalry.

Second Lieutenant Henry S. Pearce to be first lieutenant, July 5, 1868, vice Neff, deceased.

Second Lieutenant George P. Belden to be first lieutenant, November 3, 1868, vice Gregg, the regimental commissary.

Second Lieutenant Samuel T. Hamilton to be first lieutenant, November 27, 1868, vice Adams, promoted.

Third Regiment of Cavalry.

First Lieutenant George O. McMullin to be captain, July 28, 1868, vice Wall, deceased.

Second Lieutenant John C. Thompson to be first lieutenant, July 28, 1868, vice McMullin, promoted.

Second Lieutenant Henry Ayers to be first lieutenant, July 29, 1868, vice Campbell, retired.

Fifth Regiment of Cavalry.

Second Lieutenant Amos Webster to be first lieutenant, June 9, 1868, vice Ruggles, cashiered.

Second Lieutenant Alfred B. Bache to be first lieutenant, July 20, 1868, vice Williams, retired.

Second Lieutenant Jules C. A. Schenofsky to be first lieutenant, September 12, 1868, vice Payne, resigned.

Sixth Regiment of Cavalry.

Second Lieutenant Harrison Holt to be first lieutenant, August 18, 1868, vice Hill, the regimental adjutant.

Seventh Regiment of Cavalry.

Captain Lewis Merrill, of the Second Cavalry, to be major, November 27, 1868, vice Elliott, killed in action.

First Lieutenant Samuel M. Robbins to be captain, November 27, 1868, vice Hamilton, killed in action.

Second Lieutenant Bradford S. Bassett to be first lieutenant, July 31, 1868, vice Leary, retired.

Second Lieutenant John F. Weston to be first lieutenant, November 27, 1868, vice Robbins, promoted.

Eighth Regiment of Cavalry.

Second Lieutenant Ursemus B. Boyd to be first lieutenant, October 13, 1868, vice Mahuken, the regimental adjutant.

Third Regiment of Artillery.

Second Lieutenant Francis L. Hills to be first lieutenant, April 2, 1868, vice Wilson, dropped for desertion.

Second Lieutenant Albert F. Pike to be first lieutenant, July 9, 1868, vice Pendleton, whose reinstatement has been revoked.

Second Lieutenant Christopher U. Harrold to be first lieutenant, September 21, 1868, vice Hunting, resigned.

Second Lieutenant Charles S. Medary to be first lieutenant, October 31, 1865, vice Hayden, resigned.

Fifth Regiment of Artillery.

First Lieutenant Henry F. Brewerton to be captain, September 18, 1868, vice Watson, retired.

Second Lieutenant William J. Patterson to be first lieutenant, July 22, 1867, vice McDonald, dropped for desertion.

Second Lieutenant Elbridge R. Hills to be first lieutenant September 28, 1867, vice Gordon, deceased.

Second Lieutenant Joseph G. Swift to be first lieutenant October 1, 1867, vice Beck, the regimental quartermaster.

Second Lieutenant Henry I. Reilly to be first lieutenant, September 18, 1868, vice Brewerton, promoted.

Second Regiment of Infantry.

Second Lieutenant Josias R. King to be first lieutenant October 1, 1868, vice Norton, resigned.

Third Regiment of Infantry.

Second Lieutenant Lorenzo W. Cooke to be first lieutenant, September 17, 1868, vice Beecher, killed in action.

Fourth Regiment of Infantry.

Major Henry M. Black, of the Seventh Infantry, to be lieutenant-colonel, October 7, 1868, vice Slemmer, deceased.

Second Lieutenant Carl Veidenheimer to be first lieutenant, November 16, 1866, vice Lantz, dropped for desertion.

Second Lieutenant Anthony W. Vogdes to be first lieutenant, May 15, 1867, vice Dost, promoted.

Sixth Regiment of Infantry.

Second Lieutenant William Badger to be first lieutenant, February 9, 1867, vice Weilandt, dropped for desertion.

Second Lieutenant Russell H. Day to be first lieutenant, February 25, 1867, vice Long, who resigns his regimental commission.

Second Lieutenant William W. Fleming to be first lieutenant, April 1, 1867, vice Munson, the regimental adjutant.

Eleventh Regiment of Infantry.

First Lieutenant Francis A. Field to be captain, November 23, 1868, vice Goodhue, promoted to the Twenty-third Infantry.

Second Lieutenant Thomas H. Bradley to be first lieutenant, August 12, 1868, vice Richards, the regimental quartermaster.

Second Lieutenant Louis V. Caziare to be first lieutenant, November 23, 1868, vice Field, promoted.

Fourteenth Regiment of Infantry.

Captain Robert E. A. Crofton, of the Sixteenth Infantry, to be major, September 25, 1868, vice Freedley, retired.

Second Lieutenant Frederic C. Nichols to be first lieutenant, October 19, 1868, vice Converse, retired.

Fifteenth Regiment of Infantry.

First Lieutenant George W. Ballantine to be captain, August 25, 1868, vice Heilman, resigned.

Second Lieutenant Henry Sweeny to be first lieutenant, July 27, 1868, vice Young, dismissed.

Second Lieutenant Edward C. Henshaw to be first lieutenant, August 18, 1868, vice Bayer, resigned.

Second Lieutenant Asher C. Taylor to be first lieutenant, August 25, 1868, vice Ballantine, promoted.

Sixteenth Regiment of Infantry.

First Lieutenant Charles Hotsenpiller to be captain, September 25, 1868, vice Crofton, promoted to the Fourteenth Infantry.

Eighteenth Regiment of Infantry.

Second Lieutenant John A. Manley to be first lieutenant, August 21, 1868, vice Galbreath, the regimental quartermaster.

Twentieth Regiment of Infantry.

Second Lieutenant Barnard Carney to be first lieutenant, August 20, 1868, vice Latchford, the regimental quartermaster.

Second Lieutenant John S. Allanson to be first lieutenant, October 26, 1868, vice Viall, deceased.

Twenty-second Regiment of Infantry.

Second Lieutenant John W. Chickering to be first lieutenant, February 1, 1868, vice McCaskey, the regimental quartermaster.

Twenty-third Regiment of Infantry.

Captain John M. Goodhue, of the Eleventh Infantry, to be major, November 23, 1868, vice Marshall, resigned.

Second Lieutenant William F. Rice to be first lieutenant, July 8, 1868, vice Manning, the regimental adjutant.

Twenty-fourth Regiment of Infantry.

Second Lieutenant George G. Lott to be first lieutenant, October 14, 1868, vice Churchill, deceased.

Twenty-fifth Regiment of Infantry.

First Lieutenant Francis H. Ross to be captain, November 21, 1868, vice Davies, resigned.

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Second Lieutenant Samnel Craig to be first lieutenant, Jnne 22, 1868, vice Durham, the regimental quartermaster.

Second Lieutenant William H. Hugo to be first lieutenant, November 21, 1868, vice Ross, promoted.

Twenty-sixth Regiment of Infantry.

First Lieutenant Charles E. Morse to be captain, October 2, 1868, vice Emerson, cashiered.

Second Lieutenant George A. Ebbets to be first lieutenant, October 2, 1868, vice Morse, promoted.

Twenty-seventh Regiment of Infantry.

First Lieutenant Seth Bonney to be captain, November 11, 1868, vice Hartz, deceased.

Second Lieutenant Edmund R. P. Shnrly to be first lieutenant, September 29, 1868, vice Halleck, retired.

Second Lieutenant Ephraim Tillotson to be first lieutenant, November 11, 1868, vice Bonney, promoted.

Twenty-eighth Regiment of Infantry.

Second Lieutenant Gustave H. Radetzki to be first lieutenant, August 8, 1868, vice Bennett, resigned.

Twenty-ninth Regiment of Infantry.

Second Lieutenant Samuel Graham to be first lieutenant, Jnly 18, 1868, vice Mackay, deserted.

Thirtieth Regiment of Infantry.

First Lieutenant James S. Tomkins to be captain, Julp 30, 1868, vice King, resigned.

Second Lieutenant Lemuel B. Norton to be first lieutenant, September 1, 1868, vice Bowen, the regimental adjntant.

Thirty-second Regiment of Infantry.

First Lieutenant John H. Gallager to be captain, September 30, 1868, vice Fergns, resigned.

Second Lieutenant Edward B. Hubbard to be first lieutenant, September 30, 1868, vice Gallager, promoted.

Thirty-third Regiment of Infantry.

First Lieutenant Eugene W. Sheibner to be captain, October 11, 1868, vice Harrison, deceased.

Second Lieutenant Helenus Dodt to be first lieutenant, Angust 24, 1868, vice Adams, the regimental adjutant.

Second Lieutenant Lafayette E. Campbell to be first lieutenant, October 11, 1868, vice Sheibner, promoted.

Thirty-seventh Regiment of Infantry.

Second Lieutenant Wells Willard to be first lieutenant, November 5, 1868, vice Kennicott, retired.

Thirty ninth Regiment of Infantry.

First Lieutenant Luke O'Reilly to be captain, October 1, 1868, vice Kirby, cashiered.

Fortieth Regiment of Infantry.

Second Lieutenant Edwin J. Stivers to be first lieutenant, September 15, 1868, vice Geddes, the regimental adjutant.

Forty-first Regiment of Infantry.

Second Lieutenant Byron F. Strong to be first lieutenant, November 20, 1868, vice Funk, resigned.

Forty-second Regiment of Infantry.

First Lieutenant William H. Merrill to be captain, September 10, 1868, vice Huxford, retired.

Second Lieutenant William R. Bourne to be first lieutenant, September 10, 1868, vice Merrill, promoted.

Forty-fifth Regiment of Infantry.

First Lieutenant George W. Gile to be captain, February 4, 1868, vice Callis, resigned.

Second Lieutenant Paul R. Hambrick to be first lieutenant, February 4, 1868, vice Gile, promoted.

Second Lieutenant Leonard J. Whiting to be first lieutenant, June 29, 1868, vice Skelton, dismissed.

Transfers.

Captain Robert W. Barnard, of the Thirty-seventh Infantry, to the Twenty-eighth Infantry, November 30, 1867.

Captain Louis T. Morris, of the Twenty-eighth Infantry, to the Thirty-seventh Infantry, November 30, 1867.

Second Lieutenant A. Sidney Smith, of the Thirty-seventh Infantry, to the Third Cavalry, July 30, 1868.

Second Lieutenant Robert A. Edwards, of the Thirteenth Infantry, to the Fifth Cavalry, August 4, 1868.

Second Lieutenant James W. Tanfield, of the Fourth Infantry, to the Seventeenth Infantry, August 24, 1868.

ANDREW JOHNSON.

WASHINGTON, *December* 8, 1868.

To the Senate of the United States:

I transmit to the Senate for its consideration with a view to ratification a convention between the United States and His Hawaiian Majesty, signed in this city on the 28th day of July last, stipulating for an extension of the period for the exchange of the ratifications of the convention between the same parties on the subject of commercial reciprocity.

ANDREW JOHNSON.

WASHINGTON, *January* 5, 1869.

To the Senate of the United States:

I transmit to the Senate for its consideration with a view to ratification an additional article to the convention of the 24th of October, 1867, between the United States and His Majesty the King of Denmark.

ANDREW JOHNSON.

WASHINGTON, *January* 4, 1869.

The messages were read.

Ordered, That the nominations of Andrew Van Dyck and John D. McGill be referred to the Committee on Commerce.

Ordered, That the nominations of René J. Fougeray, George H. Penfield, Wm. Barber, and Hallett H. Kilbourn be referred to the Committee on Finance.

Ordered, That the nominations of Isaac W. Webster and James A. Suydam be referred to the Committee on Post-Offices and Post-Roads.

Ordered, That the nominations of James Edmonston, John B. Church, and Hampton B. Denman be referred to the Committee on Public Lands.

Ordered, That the nomination of George W. Wilkinson be referred to the Committee on Indian Affairs.

Ordered, That the nomination of Philip H. Morgan be referred to the Committee on the Judiciary.

Ordered, That the nominations of William G. Farewell and Franklin K. Hartzell be referred to the Committee on Naval Affairs.

Ordered, That the nominations of Frazier A. Boutelle, Manuel J. Gonzales, Charles W. Thomas, and Philip C. Davis and others be referred to the Committee on Military Affairs and the Militia, and printed in confidence for the use of the Senate.

The convention between the United States and His Majesty the King of the Hawaiian Islands, concluded at Washington, D. C., the 28th July, 1868, was read the first time.

On motion by Mr. Sumner,

Ordered, That the said convention with the accompanying message be referred to the Committee on Foreign Relations, and printed in confidence for the use of the Senate.

The additional article to the convention of October 24, 1867, between the United States and His Majesty the King of Denmark was read the first time.

On motion by Mr. Sumner,

Ordered, That the said additional article, with the accompanying message, be referred to the Committee on Foreign Relations, and printed in confidence for the use of the Senate.

On motion by Mr. Morrill, of Vermont,

Ordered, That the injunction of secrecy upon the Commercial Convention between the United States and Prussia and the other States of the Germanic Association of Customs and Commerce, concluded the 25th March, 1844, upon the message of the President of the United States of May 6, 1844, transmitting certain correspondence relating to the said commercial convention, and upon the message of the President of the United States, dated May 10, 1844, transmitting a dispatch from Mr. Everett, envoy extraordinary and minister plenipotentiary to Great Britain, having reference to the treaty with the Zoll Verein, and the proceedings of the Senate thereon, be removed.

Mr. Trumbull, from the Committee on the Judiciary, to whom was referred, this day, the nomination of Philip H. Morgan, reported favorably thereon.

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On motion by Mr. Trumbull,

The Senate proceeded, by unanimous consent, to consider the said nomination; and

Resolved, That the Senate advise and consent to the appointment of Philip H. Morgan, agreeably to the nomination.

On motion by Mr. Trumbull,

Ordered, That the said resolution be transmitted forthwith to the President of the United States.

Mr. Pomeroy, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 18th December last, the nomination of Walter H. Smallwood, reported adversely thereon.

Mr. Pomeroy, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 18th December last, the nomination of Joseph Ralston, reported favorably thereon.

Mr. McDonald, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 18th December last, the nomination of Peter P. Bailey, reported favorably thereon.

Mr. McDonald, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 18th December last, the nomination of Orton Hackett, reported adversely thereon.

Mr. Harlan, from the Committee on the District of Columbia, to whom was referred, the 18th December last, the nomination of Isaac Newton, reported favorably thereon.

On motion by Mr. Patterson of New Hampshire,

Ordered, That the said nomination be recommitted to the Committee on the District of Columbia.

Mr. Trumbull, from the Committee on the Judiciary, to whom was referred, the 18th December last, the nomination of John P. O'Neill, reported favorably thereon.

Mr. Warner, from the Committee on Finance, to whom were referred, the 5th instant, the nomination of Albert G. Ryan and W. O. Lofland, reported adversely thereon.

The Senate proceeded to consider the nomination of Henry A. Smythe; and

After debate,

On motion by Mr. Sumner that the said nomination lie on the table,

On motion by Mr. Anthony,

The Senate adjourned.

MONDAY, JANUARY 11, 1869.

Mr. Williams, from the Committee on Finance, to whom was referred, the 7th instant, the nomination of George H. Penfield, reported favorably thereon.

Mr. Cattell, from the Committee on Finance, to whom was referred, the 5th instant, the nomination of Arthur D. Markley, reported favorably thereon.

Mr Trumbull, from the Committee on the Judiciary, to whom was referred, the 18th December last, the nomination of Converse W. C. Rowell, reported favorably thereon.

Mr. McDonald, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 18th December last, the nomination of Fred C. Humphreys, reported favorably thereon.

Mr. Conness, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 7th instant, the nomination of James A. Suydam, reported favorably thereon.

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Mr. Sumner, from the Committee on Foreign Relations, to whom were referred, the 14th December last, the treaty between the United States and the Kingdom of Wurtemburg upon the subject of naturalization; the treaty between the United States and the Grand Duchy of Hesse on the subject of naturalization; and the treaty between the United States and the Grand Duchy of Baden, reported them severally without amendment, and with a recommendation that they be ratified.

The Senate resumed consideration of the nomination of Henry A. Smythe;

And the question being on the motion submitted by Mr. Sumner, the 7th instant, that the nomination lie on the table,

On the question to agree thereto,

It was determined in the negative, { Yeas..... 15
Nays..... 34

On motion by Mr. Sumner,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Conkling, Davis, Edmunds, Ferry, Frelinghuysen, Harlan, Howard, Morrill of Vt., Patterson of N. H., Rice, Stewart, Sumner, Thayer, Williams, Wilson.

Those who voted in the negative are,

Messrs. Abbott, Buckalew, Cattell, Chandler, Cole, Conness, Corbett, Cragin, Dixon, Doolittle, Fessenden, Fowler, Harris, Hendricks, Howe, Kellogg, McDonald, Norton, Nye, Patterson of Tenn., Pomeroy, Pool, Robertson, Ross, Sawyer, Sherman, Spencer, Trumbull, Van Winkle, Vickers, Wade, Warner, Whyte, Willey.

The question recurring, Will the Senate advise and consent to the appointment of Henry A. Smythe?

After debate,

On motion by Mr. Hendricks,

The Senate adjourned.

TUESDAY, JANUARY 19, 1869.

The following messages were received from the President of the United States, by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Jesse H. Harper to be deputy postmaster at Jackson, in the county of Madison and State of Tennessee, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, *January* 12, 1869.

To the Senate of the United States:

I nominate Bradford T. Simmons to be deputy postmaster at Johnstown, in the county of Fulton and State of New York, in place of William B. Comrie, removed.

ANDREW JOHNSON.

WASHINGTON, *January* 12, 1869.

To the Senate of the United States:

I nominate A. Way Kelly to be deputy postmaster at Penn Yan, in the county of Yates and State of New York, in place of J. L. Robbins, rejected 25 July, 1868.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 12, 1869.

To the Senate of the United States:

I nominate L. H. Wakefield to be deputy postmaster at Portland, in the county of Multnomah and State of Oregon, in place of Elestus G. Randall, removed for cause.

ANDREW JOHNSON.

WASHINGTON, *Jan'y* 12, 1869.

To the Senate of the United States:

I nominate William H. Avery to be deputy postmaster at Tallahassee, in the county of Leon and State of Florida, in place of ———.

ANDREW JOHNSON.

WASHINGTON, *January* 12, 1869.

To the Senate of the United States:

I nominate Harlan P. Welch to be deputy postmaster at Ottawa, in the county of Franklin and State of Kansas, the office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 12, 1869.

To the Senate of the United States:

I nominate James Hare to be deputy postmaster at Hays City, in the county of Ellis and State of Kansas, the office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, D. C., *Jan'y* 12, 1869.

To the Senate of the United States:

I nominate Henry Boyd to be deputy postmaster at White Plains, in the county of Westchester and State of New York, in place of William S. Cameron, resigned.

ANDREW JOHNSON.

WASHINGTON, *January* 11, 1869.

To the Senate of the United States:

I nominate Martin Maginnis to be deputy postmaster at Helena, in the county of Lewis and Clarke and Ter. of Montana, in place of John Potter, removed.

ANDREW JOHNSON.

WASHINGTON, *January* 11, 1869.

To the Senate of the United States:

I nominate George H. Pierson to be deputy postmaster at Salem, in the county of Essex and State of Massachusetts, in place of W. W. Lauder.

ANDREW JOHNSON.

WASHINGTON, D. C., *January 6th*, 1869.

To the Senate of the United States:

I nominate Peter C. Hagner to be deputy postmaster at Watkins, in the county of Schuyler and State of New York, the office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, *Jan'y* 11, 1869.

To the Senate of the United States:

I nominate Robert Holmes to be deputy postmaster at Marion, in the county of Linn and State of Iowa, in place of Thomas S. Bardwell, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, D. C., *Jan'y* 11, 1869.

To the Senate of the United States:

I nominate Chauncey Harris to be deputy postmaster at Elizabeth, in the county of Union and State of New Jersey, in place of Chauncey Harris, whose commission expires 12th January, 1869.

ANDREW JOHNSON.

WASHINGTON, D. C., *Jan'y* 11, 1869.

To the Senate of the United States:

I nominate David W. Stormont to be deputy postmaster at Topeka, in the county of Shawnee and State of Kansas, in place of Samuel H. Fletcher, removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *Jan'y* 11, 1869.

To the Senate of the United States:

I nominate David H. Abell to be assessor of internal revenue 25th district of New York, vice Lewis Peck, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 11, 1869.

To the Senate of the United States:

I nominate Algernon S. Robertson to be collector of internal revenue for the 2d district of Louisiana, in place of E. M. Bouligny, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *Jan'y* 11, 1869.

To the Senate of the United States:

I nominate Calvin J. Cowles to be assayer of the United States branch mint at Charlotte, North Carolina, in place of Isaac W. Jones, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 5, 1869.

To the Senate of the United States:

I nominate Andrew J. Simmons to be collector of internal revenue, collection district of Montana, in place of N. P. Langford, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 11, 1869.

To the Senate of the United States:

I nominate George J. Stubblefield to be attorney of the United States for the middle district of Tennessee, in place of Horace H. Harrison, resigned.

ANDREW JOHNSON.

EXECUTIVE MANSION, *January* 12, 1869.

To the Senate of the United States:

I nominate James H. Huckleberry to be attorney of the United States for the western district of Arkansas, in place of Elijah D. Ham, resigned.

ANDREW JOHNSON.

EXECUTIVE MANSION, *January* 12, 1869.

To the Senate of the United States:

I nominate David Sheeks to be attorney of the United States for the western district of Texas, in place of E. B. Turner, resigned.

ANDREW JOHNSON.

EXECUTIVE MANSION, *January* 12, 1869.

To the Senate of the United States:

I nominate Alexander R. Banks, of Kansas, to be agent for the Indians of the Upper Arkansas Agency, vice Edward W. Wynkoop, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 12, 1869.

To the Senate of the United States:

I nominate Nathaniel A. Adams, of Kansas, to be surveyor-general of the United States for the district of Kansas, vice Hiram S. Sleeper.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 11, 1869.

To the Senate of the United States:

I nominate Perry Fuller to be collector of the customs for the district of New Orleans, Louisiana, in place of Wm. P. Kellogg.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 13, 1869.

To the Senate of the United States:

I nominate Charles W. Palfray to be collector of customs for the district of Salem and Beverly, in the State of Massachusetts, in place of Robert S. Rantoul, whose commission has expired.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 12*th*, 1869.

To the Senate of the United States:

I nominate Thomas B. Florence to be assessor of internal revenue 2nd district of Pennsylvania, vice Clifford S. Phillips, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 13, 1869.

To the Senate of the United States:

I nominate John E. Detrich to be collector of internal revenue 12th district of Illinois, vice Willard C. Flagg, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 13, 1869.

To the Senate of the United States:

I nominate the person herein named for appointment in the Army of the United States, he having passed the examination required by law:

John L. Graham, late second lieutenant of the Twenty-first Regiment Veteran Reserve Corps, to be second lieutenant in the Forty-fifth Regiment United States Infantry, January 7, 1869, vice Williams, promoted.

ANDREW JOHNSON.

WASHINGTON, *January* 9, 1869.

To the Senate of the United States:

I nominate the person herein named for reappointment in the Army of the United States:

Charles E. Campbell, late second lieutenant in the Forty-second Regiment United States Infantry, to be second lieutenant in the Forty second Regiment United States Infantry, January 6, 1869, vice Bourne, promoted.

ANDREW JOHNSON.

WASHINGTON, *January* 6, 1869.

To the Senate of the United States:

I nominate Nathaniel P. Langford of the Territory of Montana, to be governor of said Territory, vice Green Clay Smith, resigned.

ANDREW JOHNSON.

WASHINGTON, 13 *January*, 1869.

To the Senate of the United States:

I nominate John Savage, of New York, to be consul of the United States at Leeds, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, 13 *January*, 1869.

To the Senate of the United States:

I nominate to be captains in the Revenue Cutter Service, First Lieutenant Henry D. Hall, vice Captain Henry B. Nones, deceased, and First Lieutenant Daniel B. Hodgsdon, vice Captain Hugh R. Grahame, deceased; also Second Lieutenant Edward L. Deane to be first lieutenant, vice Henry D. Hall, promoted, and Third Lieutenant Augustus W. Constable to be second lieutenant, vice Deane, promoted. I also nominate to be third lieutenants the following: Robert M. Clark, vice John Davison, promoted; John Owen, vice James McVay, deceased; Thomas Mason, vice Augustus W. Constable, promoted, and Samuel Howard, vice James H. Berry, to be removed.

ANDREW JOHNSON.

WASHINGTON, *January* 13, 1869.

To the Senate of the United States:

I nominate W. H. Ewing to be deputy postmaster at Seymour in the county of Jackson and State of Indiana, in place of Wm. F. Gerrish, special agent in charge, rejected.

ANDREW JOHNSON.

WASHINGTON, *January* 15, 1869.

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To the Senate of the United States:

I nominate I. B. Abbott to be deputy postmaster at Cedar Falls, in the county of Black Hawk and State of Iowa, in place of F. Bohneler, removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 15, 1869.

To the Senate of the United States:

I nominate John L. Jones to be deputy postmaster at Flemington, in the county of Hunterdon and State of New Jersey, in place of Asa Jones, rejected 23 July, 1868.

ANDREW JOHNSON.

WASHINGTON, *January* 15, 1869.

To the Senate of the United States:

I nominate Albert H. O'Brien, of Pennsylvania, Wm. Kilty McSherry, of Maryland, and Allan C. Kelton, of Pennsylvania, to be second lieutenants in the Marine Corps, to fill vacancies in that grade.

ANDREW JOHNSON.

WASHINGTON CITY, *January* 15, 1869.

To the Senate of the United States:

I nominate Rockey P. Earhart, of Oregon, to be agent for the Indians of the Grand Ronde Agency in Oregon, vice Amos Harney, whose term of office has expired.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 15, 1869.

To the Senate of the United States:

I nominate William H. Tiffany to be assessor of internal revenue for the ninth district of New York, vice Homer Franklin, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 15, 1869.

To the Senate of the United States:

I nominate M. W. Reynolds to be assessor of internal revenue collection district of Kansas, vice Thomas I. Sternbergh, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 15, 1869.

To the Senate of the United States:

I nominate John A. Gadsden to be secretary of the legation of the United States at Mexico, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, *January* 18, 1869.

To the Senate of the United States:

I nominate R. H. Hunt to be assessor of internal revenue 6th district of Missouri, vice E. F. Rodgers, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 18, 1869.

To the Senate of the United States:

I nominate A. J. Booth to be assessor of internal revenue 21st district of Pennsylvania, vice Westley Frost, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 18, 1869.

To the Senate of the United States:

I nominate Thomas C. Bowen to be a lieutenant in the Navy, and to take rank next after Lieutenant George F. Wilkins.

ANDREW JOHNSON.

WASHINGTON CITY, *January* 15, 1869.

To the Senate of the United States:

I nominate James M. Wilkinson, of Michigan, to be receiver of public moneys for the district of lands subject to sale at Marquette, Michigan, vice H. H. Stafford, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 18, 1869.

To the Senate of the United States:

I nominate William W. Dixon to be associate justice of the supreme court of the Territory of Montana, in the place of Lyman E. Munson, resigned.

ANDREW JOHNSON.

EXECUTIVE MANSION, *January* 18, 1869.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be captains by brevet.

Hendric M. F. V. Stamp, late first lieutenant of the First regiment United States Veteran Volunteers, for meritorious services in the field, to date from March 13, 1865.

Charles N. Jackson, late first lieutenant of the Tenth Regiment Pennsylvania Volunteer Reserves, for gallant and meritorious conduct at Mechanicsville, Va., June 26, 1862, to date from March 13, 1865.

John V. Bouvier, late first lieutenant of the Eightieth New York Volunteers, for gallant and meritorious services at the battles of Groveton, Va., and Gettysburg, Pa., to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *January* 13, 1869.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be majors by brevet.

Ranslure W. Clark, late captain and assistant quartermaster of Volunteers, for faithful and efficient services in the Quartermaster's Department during the war, to date from March 13, 1865.

Brevet Captain Paul Brodie, late first lieutenant of the Signal Corps, for gallant and meritorious services during the war, to date from March 13, 1865.

Elisha A. Hinks, late captain of the Nineteenth Massachusetts Volunteers, for gallantry at the battle of Antietam, Md., to date from March 13, 1865.

Brevet Captain Charles N. Jackson, late first lieutenant of the Tenth Regiment Pennsylvania Volunteer Reserves, for gallant and meritori-

ous conduct at Antietam, Md., September 17, 1862, to date from March 13, 1865.

Enoch G. Adams, late captain of the First Regiment United States Volunteer Infantry, for gallant and meritorious services during the war, to date from March 13, 1865.

Squier A. Epperson, late captain of the Seventh Illinois Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

James P. Kimball, late captain and assistant adjutant-general of Volunteers, for gallant and meritorious services in the actions at Gainsville and Groveton, Va., and in the battle of Antietam, Md., Fredericksburg, and Chancellorsville, and Gettysburg, Pa., to date from March 13, 1865.

Lafayette Lyttle, late captain of the Thirty-fifth New York Volunteers, for gallant and meritorious services in the actions at Gainsville and Groveton, at the battle of Fredericksburg, Va., and in the operations of the Army of the Potomac up to 1864, to date from March 13, 1865.

Henry Curtis, jr., late captain and assistant adjutant-general of Volunteers, for gallant and meritorious services in the field and especially at the battle of Pea Ridge, Ark., March 6th, 7th, and 8th, 1862, to date from March 13, 1865.

Julius Livingston Ellis, late captain of the Seventy-first New York Volunteers, for gallant and meritorious services at the battle of Bull Run, Va., July 21, 1861, where mortally wounded, to date from July 21, 1861.

Edwin R. Herron, late captain of the Fourth Wisconsin Cavalry, for gallant and meritorious services at the battle of Port Hudson, La., to date from March 13, 1865.

Albert A. Pope, late captain of the Thirty-fifth Massachusetts Volunteers, for gallant conduct at the battles of South Mountain and Antietam, Md., and Fredericksburg, Va., to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *January* 13, 1869.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be lieutenant-colonels by brevet.

Brevet Major Ranslure W. Clark, late captain and assistant quartermaster of Volunteers, for faithful and efficient services in the Quartermaster's Department during the war, to date from March 13, 1865.

Brevet Major Elisha A. Hinks, late captain of the Nineteenth Massachusetts Volunteers, for conspicuous gallantry in crossing the river at Fredericksburg, Va., to date from March 13, 1865.

Brevet Major William W. Beckwith, late captain of the Eightieth New York Volunteers, for gallant and meritorious services it the battles of Groveton, South Mountain, Antietam, Fredericksburg, Chancellorsville, and Gettysburg, to date from March 13, 1865.

Brevet Major Richard B. Treat, late captain and commissary of subsistence of Volunteers, for faithful and meritorious services, to date from August 29, 1865.

Brevet Major Henry Curtis, jr., late captain and assistant adjutant-general of Volunteers, for gallant and meritorious services at Campbell's

Station, E. Tennessee, November 16th, and during the siege of Knoxville, in November and December, 1863, to date from March 13, 1865.

Curtis E. Price, late surgeon of the Twelfth Tennessee Cavalry, for valuable and meritorious services during the war, and more especially for gallant conduct at the battle of Nashville, Tennessee, to date from March 13, 1865.

Leavitt Hunt, late major and aide-de-camp, for gallant and meritorious services in the Peninsular Campaign in 1862, particularly at the battle of Malvern Hill, Va., to date from March 13, 1865.

Brevet Major Albert A. Pope, late captain of the Thirty-fifth Massachusetts Volunteers, for gallant conduct in the battles of Knoxville, Poplar Springs Church, and in front of Petersburg, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *January* 13, 1869.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be colonels by brevet.

Brevet Lieutenant-Colonel Elisha A. Hinks, late captain of the Nineteenth Massachusetts Volunteers, for marked bravery in the Virginia campaign of 1864, and in the battle of Cool Arbor, Va., to date from March 13, 1865.

Thomas W. Grosvenor, late lieutenant-colonel of the Twelfth Illinois Cavalry, for gallant and meritorious services in the battle of Darkesville, Va., to date from March 13, 1865.

Brevet Lieutenant-Colonel Richard B. Treat, late captain and commissary of subsistence of Volunteers, for faithful and meritorious services, to date from August 29, 1865.

ANDREW JOHNSON.

WASHINGTON, *January* 13, 1869.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be brigadier-generals by brevet.

Charles A. Johnson, late colonel of the Twenty-fifth New York Volunteers, for gallant and meritorious services in the battle of Hanover Court-House, Virginia, to date from March 13, 1865.

George W. Gowan, late colonel of the Forty-eighth Pennsylvania Volunteers, for distinguished and gallant services in the assault upon the rebel works in front of Petersburg, Va., where killed, to date from April 2, 1865.

Moses N. Wisewell, late colonel of the Veteran Reserve Corps, for gallant and meritorious services at the battle of Fredericksburg, Va., December 13, 1862, to date from March 13, 1865.

Brevet Colonel Thomas W. Grosvenor, late lieutenant-colonel of the Twelfth Illinois Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Colonel James R. O'Beirne, late major of the Twenty-second Regiment Veteran Reserve Corps, for gallant and meritorious services during the war of the rebellion, to date from September 26, 1865.

Augustus Van Horn Ellis, late colonel of the One hundred and twenty-fourth New York Volunteers, for gallant and meritorious services at the battle of Gettysburg, Pa., where killed, to date from July 2, 1863.

ANDREW JOHNSON.

WASHINGTON, *January* 13, 1869.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be major-general by brevet.

Brevet Brigadier-General St. Clair Mulholland, late colonel of the One hundred and sixteenth Pennsylvania Volunteers, for gallant and meritorious services in the battle of Boydton Plank Road, Va., October 27, 1864, to date from March 13, 1865.

Brevet Brigadier-General James Gwyn, late colonel of the One hundred and eighteenth Pennsylvania Volunteers, for gallant and meritorious services at the battle of Five Forks, Va., to date from April 1, 1865.

ANDREW JOHNSON.

WASHINGTON, *January* 13, 1869.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be first lieutenants by brevet.

Second Lieutenant William C. Rawolle, of the Second Regiment United States Cavalry, for gallant and meritorious services in the Army of the Potomac from August, 1862, to January, 1863, including the engagements of Bull Run (2d), South Mountain, Antietam, Warrenton, Sulphur Springs, and Fredericksburg, to date from June 6, 1868.

Second Lieutenant Rufus Somerly, of the Eighth Regiment United States Cavalry, for gallant conduct in engagements with the Apache Indians between the 30th of August, 1868, and 12th of September, 1868, to date from August 30, 1868.

Second Lieutenant William M. Bandy, of the Twenty-eighth Regiment United States Infantry, for distinguished courage at the battle of Pea Ridge and Prairie Grove, Ark., to date from August 29, 1867.

Second Lieutenant George W. Yates, of the Second Regiment United States Cavalry, for conspicuous gallantry at the battle of Fredericksburg, Va., to date from March 2, 1867.

Second Lieutenant William L. English, of the Seventh Regiment United States Infantry, for gallant and meritorious services during the war, to date from June 18, 1867.

Second Lieutenant Samuel K. Thompson, of the Thirty-ninth Regiment United States Infantry, for gallant and meritorious services during the war, to date from October 16, 1867.

Second Lieutenant Jonathan B. Hanson, of the Thirty-ninth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 7, 1867.

Second Lieutenant Asa B. Gardner, of the Ninth Regiment United States Infantry, for gallant conduct in the Gettysburg campaign, to date from March 2, 1867.

Second Lieutenant Owen I. Street, of the Fortieth Regiment United States Infantry, for gallant conduct in the battle of Chancellorsville, Va., to date from May 27, 1867.

Second Lieutenant Henry H. Kuhn, of the Forty-second Regiment United States Infantry, for gallant and meritorious services in front of Petersburg, Va., to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *January* 13, 1869.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be captains by brevet.

Brevet First Lieutenant William C. Rawolle, second lieutenant in the Second Regiment United States Cavalry, for services in the West including cavalry campaigns in east Tennessee and expeditions into Northern Mississippi, to date from June 6, 1868.

First Lieutenant Alvin S. Galbreath, of the Eighteenth Regiment United States Infantry, for gallant and meritorious services in the action of Brown's Ferry, Tennessee, October 27, 1863, to date from March 2, 1867.

Brevet First Lieutenant Rufus Somerly, second lieutenant in the Eighth Regiment United States Cavalry, for gallant and efficient services in his actions with the Apache Indians between October 7, 1868, and October 23, 1868, to date from October 7, 1868.

Brevet First Lieutenant William M. Bandy, second lieutenant in the Twenty-eighth Regiment United States Infantry, for coolness, courage, and gallantry, at the siege of Vicksburg, Miss., to date from August 29, 1867.

Brevet First Lieutenant George W. Yates, second lieutenant in the Second Regiment United States Cavalry, for conspicuous gallantry at the battle of Beverly Ford, Va., to date from March 2, 1867.

Brevet First Lieutenant William L. English, second lieutenant in the Seventh Regiment United States Infantry, for gallant and meritorious services during the war, to date from June 18, 1867.

First Lieutenant John S. Hammer, of the Nineteenth Regiment United States Infantry, for gallant and meritorious services in the battle of Franklin, Tenn., to date from March 2, 1867.

First Lieutenant Thomas D. Maurice, of the Second Regiment United States Artillery, for gallant and meritorious services in the battle of Atlanta, Ga., to date from March 2, 1867.

First Lieutenant Azor H. Nickerson, of the Twenty-third Regiment United States Infantry, for gallant conduct at the battle of Antietam, Md., September 17, 1862, to date from March 2, 1867.

Brevet First Lieutenant Asa B. Gardner, second lieutenant of the Ninth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

First Lieutenant John W. Dillenback, of the First Regiment United States Artillery, for gallant and meritorious services in the battles of Petersburg, Va., and Sugar Loaf Hill, N. C., to date from March 2, 1867.

Brevet First Lieutenant Owen I. Sweet, second lieutenant in the Fortieth Regiment United States Infantry, for gallant conduct in the battle of Gettysburg, Pa., to date from May 27, 1867.

ANDREW JOHNSON.

WASHINGTON, *January* 13, 1869.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States, to be majors by brevet:

Brevet Captain Arthur Morris, first lieutenant in the Fourth Regiment United States Artillery, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Captain George W. Yates, second lieutenant in the Second Regiment United States Cavalry, for conspicuous gallantry at the battle of Gettysburg, Pa., to date from March 2, 1867.

Brevet Captain Samuel McKeever, first lieutenant in the Sixteenth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Captain Azor H. Nickerson, first lieutenant in the Twenty-third Regiment United States Infantry, for gallant conduct at the battle of Gettysburg, Pa., July 3, 1863, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *January* 13, 1869.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States, to be lieutenant-colonels by brevet:

Brevet Major Samuel McKeever, first lieutenant in the Sixteenth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Major Daniel W. Burke, captain in the Forty-fifth Regiment United States Infantry, for gallant and meritorious services during the war, to date from January 22, 1867.

ANDREW JOHNSON.

WASHINGTON, *January* 13, 1869.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States, to be colonels by brevet:

Brevet Lieutenant-Colonel Francis Fessenden, captain in the Nineteenth Regiment United States Infantry, for gallant and meritorious services in the field during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *January* 13, 1869.

NOTE.—The above-named officer has been confirmed and commissioned lieutenant-colonel, brigadier-general, and major-general by brevet, but it has recently been discovered that through an oversight he was not nominated for the brevet of colonel. This nomination is therefore made to complete his military record.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States, to be colonels by brevet:

Brevet Lieutenant-colonel James Biddle, captain in the Twenty-fourth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Lieutenant-Colonel George A. Kensel, captain in the Fifth Regiment United States Artillery, for gallant and meritorious services in the capture of Fort Harrison, Va., to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *January* 13, 1869.

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To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be brigadier-generals by brevet.

Brevet Colonel James Biddle, captain in the Twenty-fourth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Colonel John McL. Taylor, major and commissary of subsistence United States Army, for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet Colonel Beekman Du Barry, major and commissary of subsistence United States Army, for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet Colonel Robert Macfeely, major and commissary of subsistence United States Army, for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet Colonel Henry Clay Wood, major and assistant adjutant-general United States Army, for faithful and meritorious services in the field and in the Adjutant-General's Department during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *January* 13, 1869.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be major-generals by brevet.

Brevet Brigadier-General Thomas H. Ruger, colonel of the Thirty-third Regiment United States Infantry, for gallant and meritorious services in the battle of Franklin, Tennessee, to date from March 2, 1867.

Brevet Brigadier-General Thomas H. Neill, major of the Twentieth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Brigadier-General Horace Brooks, colonel of the Fourth Regiment United States Artillery, for faithful services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *January* 13, 1869.

To the Senate of the United States:

I desire the consent of the Senate to the correction of clerical errors which occurred in nominating for their confirmation during the last session the officers herein named:

The nomination of Samuel D. Sturgis, confirmed July 17, 1868, to be brigadier-general by brevet, for gallant and meritorious services in the battles of South Mountain and Antietam, Md., to date from September 17, 1862, should read for gallant and meritorious services in the battles of South Mountain and Antietam, Md., to date from March 13, 1865.

The nomination of Samuel D. Sturgis, confirmed July 17, 1868, to be major-general by brevet, for gallant and meritorious services in the battle of Fredericksburg, Va., to date from December 13, 1862, should

read for gallant and meritorious services in the battle of Fredericksburg, Va., December 13, 1862, to date from March 13, 1865.

The nomination of A. D. Bache Smead, confirmed July 17, 1868, to be second lieutenant in the Fourth Regiment United States Cavalry, February 21, 1868, vice Wing, deceased, should read to be second lieutenant in the Third Regiment United States Cavalry, February 21, 1868, vice Cushing, promoted.

The name of Amos L. Bixby, confirmed July 18, 1868, to be major of Volunteers by brevet, should read Agustus H. Bixby.

ANDREW JOHNSON.

WASHINGTON, *January* 13, 1869.

To the Senate of the United States:

I transmit herewith the evidence and reasons for the suspension from office, on the 17th day of November last, during the recess of the Senate, of William B. Comrie, deputy postmaster at Johnstown, Fulton County, New York. Bradford T. Simmons was designated to perform temporarily the duties, and is now in charge of the office.

ANDREW JOHNSON.

WASHINGTON, *January* 12, 1869.

To the Senate of the United States:

I transmit to the Senate for its consideration, with a view to ratification, a convention between the United States and Belgium, upon the subject of naturalization, which was signed at Brussels on the 16th of November last.

ANDREW JOHNSON.

WASHINGTON, *January* 11, 1869.

To the Senate of the United States:

I transmit a copy of a convention between the United States and Peru, signed at Lima on the 4th of last month, stipulating for a mixed commission for the adjustment of claims of citizens of the two countries. An extract from that part of the dispatch of the minister of the United States at Lima, which accompanied the copy referred to and which relates to it, is also transmitted. It will be seen from this extract that it is desirable that the decision of the Senate upon the instrument should be given as early as may be convenient. It is consequently recommended for consideration with a view to ratification.

ANDREW JOHNSON.

WASHINGTON, *January* 12, 1869.

To the Senate of the United States:

I transmit to the Senate for its consideration, with a view to ratification, a convention between the United States and Belgium, concerning the rights, privileges, and immunities of consuls in the two countries, signed at Brussels on the 5th ultimo.

ANDREW JOHNSON.

WASHINGTON, *January* 11, 1869.

To the Senate of the United States:

I transmit to the Senate for its consideration, with a view to ratification, an additional article of the treaty of commerce and navigation between the United States and Belgium, of the 17th of July, 1858, which was signed at Brussels on the 20th ultimo.

ANDREW JOHNSON.

WASHINGTON, *January* 11, 1869.

To the Senate of the United States:

I herewith lay before the Senate for its constitutional action thereon, a treaty concluded at Washington, D. C., August 13, 1868, between the United States and the Nez Perce tribe of Indians, which treaty is supplemental to and amendatory of the treaty concluded with said tribe June 9th, 1863. A communication from the Secretary of the Interior of the 12th instant, inclosing a copy of a report of the Commissioner of Indian Affairs of the 11th inst., is also herewith transmitted.*

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 13, 1869.

* The communication from the Secretary of the Interior and this report of the Commissioner of Indian Affairs, did not accompany the above communication from the President's Executive Clerk U. S. S.

To the Senate of the United States:

I transmit to the Senate for consideration, with a view to its ratification, a copy of a treaty between the United States and Great Britain, signed yesterday at London, providing for the reference to an arbiter of the question of difference between the United States and Great Britain concerning the northwest line of water boundary between the United States and the British Possessions in North America. It is expected that the original of the convention will be forwarded by the steamer which leaves Liverpool to-morrow, circumstances, however, to which it is unnecessary to advert, in my judgment, make it advisable to communicate to the Senate the copy referred to in advance of the arrival of the original instrument.

ANDREW JOHNSON.

WASHINGTON, *January* 15, 1869.

To the Senate of the United States:

I transmit to the Senate for consideration, with a view of its ratification, a copy of a convention between the United States and Great Britain, signed yesterday at London, providing for the adjustment of all outstanding claims of the citizens and subjects of the parties respectively. It is expected that the original of the convention will be forwarded by the steamer which leaves Liverpool to-morrow, circumstances, however, to which it is unnecessary to advert, in my judgment, make it advisable to communicate to the Senate the copy referred to in advance of the arrival of the original instrument.

ANDREW JOHNSON.

WASHINGTON, *January* 15, 1869.

To the Senate of the United States:

I transmit for the opinion of the Senate as to the expediency of concluding a convention based therenpon a protocal signed at London on the 9th of October last for regulating the citizenship of citizens of the United States who have emigrated or who may emigrate from the United States to the British Dominions, and of British subjects who have emigrated or who may emigrate from the British Dominions to the United States of America.

ANDREW JOHNSON.

WASHINGTON, *Jan'ry* 15, 1869.

The messages were read.

Ordered, That the nominations of Jesse H. Harper, Bradford T. Simmons, A. Way Kelly, L. H. Wakefield, William H. Avery, Harlan P. Welch, James Hare, Henry Boyd, Martin Mcginnis, George H. Pierson, Peter C. Hagner, Robert Holmes, Chauncy Harris, David W. Stormont, William H. Ewing, J. B. Abbott, John L. Jones, and the evidence and reasons for the suspension from office of William B. Comrie, deputy postmaster at Johnson in the State of New York, be referred to the Committee on Post-Offices and Post-Roads.

Ordered, That the nominations of David H. Abell, Algernon S. Robertson, Calvin J. Cowles, Andrew J. Simmons, Thomas B. Florence, John E. Detrich, William H. Tiffany, M. W. Reynolds, R. H. Hunt, and A. J. Booth be referred to the Committee on Finance.

Ordered, That the nominations of George J. Stublefield, James H. Huckleberry, David Sheeks, and William W. Dixon be referred to the Committee on the Judiciary.

Ordered, That the nominations of Alexander R. Banks and Rockey P. Earhart be referred to the Committee on Indian Affairs.

Ordered, That the nominations of Nathaniel A. Adams, and James M. Wilkinson be referred to the Committee on Public Lands.

Ordered, That the nominations of Perry Fuller, E. A. Palfrey, John Savage, and Henry D. Hall, and others be referred to the Committee on Commerce.

Ordered, That the nominations of John L. Graham and Charles E. Campbell be referred to the Committee on Military Affairs and the Militia.

Ordered, That the nomination of Nathaniel P. Langford be referred to the Committee on Territories.

Ordered, That the nominations of Albert H. O'Brien and others, and Thomas C. Bowen be referred to the Committee on Naval Affairs.

Ordered, That the nomination of John A. Gadsden be referred to the Committee on Foreign Relations.

Ordered, That the nominations of Hendric M. F. V. Stamp and others, Ranslure W. Clark and others to be majors by brevet; Ranslure W. Clark and others to be lieutenant colonels by brevet; Elisha A. Hinks and others, Charles A. Johnson and others, St. Clair Mulholland, and James Gwyn, William C. Rawolle, and others to be first lieutenants by brevet; William C. Rawolle and others to be captains by brevet; Arthur Morris and others, Samuel McKeever, and Daniel H. Burke, Francis Fessenden, James Biddle, and George A. Kensel, James Biddle and others, Thomas H. Ruger and others, and the message desiring the correction of certain clerical errors in nominating Samuel D. Sturgis and others be referred to the Committee on Military Affairs and the Militia and printed in confidence for the use of the Senate.

The convention between the United States and Belgium on the subject of naturalization, signed at Brussels the 16th of November, 1868;

The copy of a convention between the United States and Peru, providing for a mixed commission for the adjustment of claims of citizens of the two countries, signed at Lima the 4th December last;

The convention between the United States and Belgium, concerning the rights, privileges, and immunities of consuls in the two countries, signed at Brussels the 5th day of December, 1868;

The treaty between the United States and the Nez Perce tribe of Indians, concluded at Washington the 13th of August, 1868;

The copy of a convention between the United States and Great Britain, signed at London, the 14th January, 1869, providing for the ad-

justment of all outstanding claims of the citizens and subjects of the parties respectively;

The copy of a treaty between the United States and Great Britain, signed at London the 14 January, 1869, providing for the reference to an arbiter of the question concerning the water boundary between the United States and the British Possessions in North America; and

The protocol for a convention between the United States and Great Britain, signed at London the 9th October, 1868, regulating the citizenship of persons who emigrate to and from the two countries, were severally read the first time.

On motion by Mr. Sumner,

Ordered, That the said conventions, copy of conventions, additional article, treaty, and protocol be severally referred to the Committee on Foreign Relations, and with the accompanying documents be printed in confidence for the use of the Senate.

Mr. Conness, from the Committee on Post-Offices and Post-Roads, to whom were referred, this day, the nominations of Bradford T. Simmons, L. H. Wakefield, Henry Boyd, and Chauncy Harris, reported favorably thereon.

Mr. Conness, from the Committee on Post-Offices and Post-Roads, to whom were referred, this day, the nomination of William Maginnis, reported adversely thereon.

Mr. Anthony, from the Committee on Naval Affairs, to whom were referred, the 7th instant, the nominations of William G. Farewell and Franklin K. Hartzell, reported favorably thereon.

Mr. Stewart, from the Committee on the Judiciary, to whom was referred, the 18th December last, the nomination of G. Gordon Adams, reported favorably thereon.

Mr. Wilson, from the Committee on Military Affairs and the Militia, to whom were referred, the 14th December last, the nominations of William Russell, jr., Frank C. Morehead, and Luther M. Longshaw, and, the 7th instant, the nomination of Philip C. Davis and others, reported favorably thereon.

Mr. Thayer, from the Committee on Indian Affairs, to whom was referred, the 7th instant, the nomination of George W. Wilkinson, reported favorably thereon.

Mr. McDonald, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 5th instant, the nomination of James Davis, reported favorably thereon.

Mr. Warner, from the Committee on Finance, to whom was referred, the 5th instant, the nomination of Adolph Bonchard, reported adversely thereon.

Mr. Trumbull, from the Committee on the Judiciary, to whom was referred, the 18th December last, the nomination of Fredrick A. Dockray, reported favorably thereon.

Mr. Ross, from the Committee on Indian Affairs, to whom was recommitted, the 18th December last, the treaty concluded on the 2d of March, 1866, between the United States and the Shawnee tribe of Indians, of Kansas, reported the same with amendments.

On motion by Mr Howard,

Ordered, That he have leave to withdraw the motion submitted by him, the 5th instant, that the Senate reconsider its resolution of the 5th instant advising and consenting to the appointment of Horatio Bisbee, jr.

Mr. Sumner, from the Committee on Foreign Relations, submitted sundry papers relative to the negotiations with Denmark, for the pur-

chase of St. Thomas and St. John, which were ordered to be printed in confidence for the use of the Senate.

On motion by Mr. Williams,

The Senate proceeded, by unanimous consent, to consider the nomination of L. H. Wakefield; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

WEDNESDAY, JANUARY 20, 1869.

The following messages were received from the President of the United States by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate R. I. Eavans to be deputy postmaster at Lebanon, in the county of Wilson and State of Tennessee, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, *January* 19, 1869.

To the Senate of the United States:

I nominate Wm. B. M. Brame to be deputy postmaster at Shelbyville, in the county of Bedford and State of Tennessee, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, *January* 19, 1869.

To the Senate of the United States:

I nominate Robert Caldwell to be deputy postmaster at Pulaski, in the county of Giles and State of Tennessee, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, *January* 19, 1869.

To the Senate of the United States:

I nominate James Y. Robertson to be deputy postmaster at Cleveland, in the county of Bradley and State of Tennessee, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, *January* 19, 1869.

To the Senate of the United States:

I nominate James L. Palmer to be deputy postmaster at Humboldt, in the county of Gibson and State of Tennessee, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, *January* 19, 1869.

To the Senate of the United States:

I nominate Thomas E. McLeland to be deputy postmaster at Cheyenne City, in the county of Laramie and Territory of Dakota, the office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, *January* 19, 1869.

To the Senate of the United States:

I nominate Thomas McFeeley, to be deputy postmaster at Georgetown, in the county of Georgetown and State of South Carolina, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, *January* 19, 1869.

To the Senate of the United States:

I nominate Wm. C. Duncan to be deputy postmaster at Sumter, in the county of Sumter and State of South Carolina, to fill vacancy.

ANDREW JOHNSON.

WASHINGTON, *January* 19, 1869.

To the Senate of the United States:

I nominate Hiram B. Grant to be deputy postmaster at Goldsborough, in the county of Wayne and State of North Carolina, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, *January* 19, 1869.

To the Senate of the United States:

I nominate Henry H. Shaw to be deputy postmaster at Tarborough, in the county of Edgecomb and State of North Carolina, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, *January* 19, 1869.

To the Senate of the United States:

I nominate Thomas S. Wilson to be deputy postmaster at Collinsville, in the county of Madison and State of Illinois, in place of Joel H. Welborn, who has resigned.

ANDREW JOHNSON

WASHINGTON, *January* 19, 1869.

To the Senate of the United States:

I nominate Tilghman M. Gentry to be deputy postmaster at Bloomington, in the county of Monroe and State of Indiana, to fill vacancy.

ANDREW JOHNSON.

WASHINGTON, *January* 19, 1869.

To the Senate of the United States:

I nominate Frances D. Valentine to be deputy postmaster at Santa Clara, in the county of Santa Clara and State of California, the office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, *January* 19, 1869.

To the Senate of the United States:

I nominate Clara W. Drake to be deputy postmaster at Westfield, in the county of Chautauqua and State of New York, in place W. E. Wheeler, deceased.

ANDREW JOHNSON.

WASHINGTON, *January* 19, 1869.

To the Senate of the United States:

I nominate Joseph H. Crane, to be deputy postmaster at Union Springs, in the county of Cayuga and State of New York, in place of A. B. Capron, who has left the State.

ANDREW JOHNSON.

WASHINGTON, *January* 19, 1869.

To the Senate of the United States:

I nominate Joel L. Walker to be deputy postmaster at Farmville, in the county of Prince Edward and State of Virginia, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, *January* 19, 1869.

To the Senate of the United States:

I nominate Frank H. Johnston to be deputy postmaster at Wytheville, in the county of Wythe and State of Virginia, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, *January* 19, 1869.

To the Senate of the United States:

I nominate Wm. M. G. Sandoe to be deputy postmaster at Abingdon, in the county of Washington and State of Virginia, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, *January* 19, 1869.

To the Senate of the United States:

I nominate Andrew I. Scarborough to be deputy postmaster at Lambertville, in the county of Hunterdon and State of New Jersey, the office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, *January* 19, 1869.

To the Senate of the United States:

I nominate Charles T. Sellick to be deputy postmaster at South Norwalk, in the county of Fairfield and State of Connecticut, in place of Alden Raymond, rejected by the Senate.

ANDREW JOHNSON.

WASHINGTON, *January* 19, 1869.

To the Senate of the United States:

I nominate Fredrick Ball to be deputy postmaster at La Grange, in the county of Troup and State of Georgia, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, *January* 19, 1869.

To the Senate of the United States:

I nominate James Dawson to be deputy postmaster at Talladega, in the county of Talladega and State of Alabama, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, *January* 19, 1869.

To the Senate of the United States:

I nominate Margaret E. McKellar to be deputy postmaster at Greenville, in the county of Butler and State of Alabama, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, *January* 19, 1869.

To the Senate of the United States:

I nominate Robert Blair to be deputy postmaster at Tuscaloosa, in the county of Tuscaloosa and State of Alabama, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, *January* 19, 1869.

To the Senate of the United States:

I nominate Alfred H. Yarington to be deputy postmaster at Eufaula, in the county of Barbour and State of Alabama, in place of Jane Yarrington, ineligible married woman.

ANDREW JOHNSON.

WASHINGTON, *January* 19, 1869.

To the Senate of the United States:

I nominate Charles S. McCoy to be deputy postmaster at Lewistown, in the county of Mifflin and State of Pennsylvania, in place of Emanuel C. Hamilton.

ANDREW JOHNSON.

WASHINGTON, *January* 18, 1869.

To the Senate of the United States:

I nominate Austin W. Merrick to be deputy postmaster at Shamburg, in the county of Venango and State of Pennsylvania, the office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 20, 1869.

To the Senate of the United States:

I nominate I. G. Cummings to be deputy postmaster at Media, in the county of Delaware and State of Pennsylvania, the office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 20, 1869.

To the Senate of the United States:

I nominate Enos Hawley to be deputy postmaster at Muncy, in the county of Lycoming and State of Pennsylvania, the office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 20, 1869.

To the Senate of the United States:

I nominate Jesse Kimball to be deputy postmaster at Sonora, in the county of Tuolumne and State of California, in place of H. S. Street, whose commission has expired.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 20, 1869.

To the Senate of the United States:

I nominate William R. Cummings to be assessor of internal revenue 1st district of New York, to fill a vacancy existing since the end of the 2d session of the 39 Congress.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 20, 1869.

To the Senate of the United States:

I nominate James H. Chamberlain to be assessor of internal revenue 5th district of Maine, vice N. A. Joy, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 20, 1869.

To the Senate of the United States:

I nominate Nathaniel K. Sawyer to be collector of customs for the district of Frenchman's Bay, in the State of Maine, in place of William B. Peters, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 20, 1869.

To the Senate of the United States:

I nominate William H. Wisner to be collector of customs for the district of New Orleans, in the State of Louisiana.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 20, 1869.

To the Senate of the United States:

I nominate John L. Deen to be naval officer for the district of New York, in the State of New York, to fill a vacancy existing since March 4th, 1867.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 20, 1869.

To the Senate of the United States:

I nominate Morgan L. Smith to be marshal of the United States for the eastern district of Missouri, in the place of J. B. Rogers, deceased.

ANDREW JOHNSON.

EXECUTIVE MANSION, *January* 20, 1869.

To the Senate of the United States:

I nominate Felix A. Reeve to be attorney of the United States for the eastern district of Tennessee, in the place of Crawford W. Hall, removed.

ANDREW JOHNSON.

EXECUTIVE MANSION, *January* 20, 1869.

To the Senate of the United States:

I nominate the following-named persons for appointment as brigadier-generals in the Army of the United States: Brevet Major-General Robert C. Buchanan, October 15, 1868, vice Hooker, retired; Brevet Major-General Alvan C. Gillem, January 8, 1869, vice Rousseau, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 20, 1869.

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To the Senate of the United States:

I nominate the persons herein named for appointment in the Army of the United States:

MEDICAL DEPARTMENT.

To be assistant surgeons.

Frederick W. Elbreg, of New York, November 16, 1868, vice Reyburn, resigned.

Augustus W. Wiggin, of New Hampshire, November 16, 1868, vice Wilson, resigned.

Washington Matthews, of Iowa, November 16, 1868, vice McGill, deceased.

William R. Steinmetz, of Maryland, November 16, 1868, vice Bache, promoted.

John D. Hall, of New York, November 16, 1868, vice Rowe, deceased.

Curtis E. Munn, late surgeon of the Second Massachusetts Volunteers, November 16, 1868, to fill an original vacancy.

Ezra Woodruff, late assistant surgeon of the Fifteenth Kentucky Volunteers, November 16, 1868, vice Smith, deceased.

Philip F. Harvey, of Iowa, November 16, 1868, vice Adams, deceased.

William H. King, late surgeon of the Twenty-first Pennsylvania Cavalry, November 16, 1868, to fill an original vacancy.

Stevens G. Cowdry, of New York, November 16, 1868, vice Fryer, promoted.

John M. Dickson, late surgeon of the Two hundred and thirteenth Pennsylvania Volunteers, November 16, 1868, to fill an original vacancy.

Charles B. Byrne, of Maryland, November 16, 1868, vice Hillary, dismissed.

Frank Reynolds, of New York, November 16, 1868, vice Frants, promoted.

Clarance Ewen, late assistant surgeon of the Twenty-ninth Regiment United States Colored Troops, November 16, 1868, vice Goddard, promoted.

ANDREW JOHNSON.

WASHINGTON, *January* 15, 1869.

To the Senate of the United States:

I nominate the officers herein named for regular promotion in the Army of the United States:

First Regiment of Cavalry.

First Lieutenant Joel G. Trimble to be captain, December 26, 1868, vice Reno, promoted to the Seventh Cavalry.

Second Regiment of Cavalry.

Second Lieutenant Martin E. O'Brien to be first lieutenant, December 3, 1868, vice Pearce, cashiered.

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Third Regiment of Cavalry.

Second Lieutenant Scott H. Robinson to be first lieutenant, December 28, 1868, vice Vroom, the regimental adjutant.

Sixth Regiment of Cavalry.

Second Lieutenant Edmund C. Hentig to be first lieutenant, December 23, 1868, vice Martheny, resigned.

Seventh Regiment of Cavalry.

Captain Marcus A. Reno, of the First Cavalry, to be major, December 26, 1868, vice Gibbs, deceased.

First Lieutenant Mathew Berry to be captain, December 5, 1868, vice Gillette, resigned.

Second Lieutenant Algernon E. Smith to be first lieutenant, December 5, 1868, vice Berry, promoted.

Eighth Regiment of Cavalry.

Second Lieutenant James M. Ropes to be first lieutenant, December 28, 1868, vice Foster, dismissed.

Second Regiment of Infantry.

Second Lieutenant James C. McCoy to be first lieutenant, December 29, 1868, vice Carey, cashierd.

Sixth Regiment of Infantry.

Second Lieutenant George T. Cook to be first lieutenant, December 31, 1868, vice Lyon, resigned.

Second Lieutenant John Carland to be first lieutenant, December 31, 1868, he being the regimental quartermaster.

Twelfth Regiment of Infantry.

Captain Robert S. La Motte, of the Thirteenth Infantry, to be major, December 3, 1868, vice Maynadier, deceased.

Thirteenth Regiment of Infantry.

First Lieutenant Thomas J. Lloyd to be captain, Dec. 3, 1868, vice La Motte, promoted to the Twelfth Infantry.

Twenty-seventh Regiment of Infantry.

Second Lieutenant William Stephenson to be first lieutenant, December 2, 1868, vice Shurly, retired.

Twenty eighth Regiment of Infantry.

Second Lieutenant Charles B. Hall to be first lieutenant, December 28, 1868, vice Shaw, dismissed.

Thirty-eighth Regiment of Infantry.

First Lieutenant Frederick E. Camp to be captain, December 12, 1868, vice Mills, resigned.

Second Lieutenant Thomas H. Rich to be first lieutenant, December 12, 1868, vice Camp, promoted.

Forty-fifth Regiment of Infantry.

Second Lieutenant Henry R. Williams to be first lieutenant, Dec. 12, 1868, vice Gabel, deceased.

TRANSFERRED.

Second Lieutenant Loyal Farragut, of the Twenty-first Infantry, to the Third Artillery, January 14, 1869, to fill an original vacancy.

ANDREW JOHNSON.

WASHINGTON, *January* 15, 1869.

To the Senate of the United States:

I nominate Robert Flint, of Wisconsin, to be a commissioner to ascertain the amount of moneys expended by the State of Indiana in enrolling, equipping, and provisioning militia forces to aid in suppressing the rebellion, under the act of Congress approved March 29, 1867.

ANDREW JOHNSON.

WASHINGTON, *January* 20, 1869.

To the Senate of the United States:

I withdraw the nomination of A. W. Kelly to be deputy postmaster at Penn Yan, Yates County, New York, submitted to the Senate on the 12 instant.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 20, 1869.

To the Senate of the United States:

I withdraw the nomination of Perry Fuller to be collector of customs for the district of New Orleans, Louisiana, submitted to the Senate on the 13 inst.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 20, 1869.

The messages were read.

Ordered, That all messages received this day containing nominations for deputy postmaster be severally referred to the Committee on Post-Offices and Post-Roads.

Ordered, That the nominations of William R. Cummings and James H. Chamberlain be referred to the Committee on Finance.

Ordered, That the nominations of Nathaniel K. Sawyer, Wm. H. Wisner, and John L. Dent be referred to the Committee on Commerce.

Ordered, That the nominations of Morgan L. Smith and Felix A. Reeve be referred to the Committee on the Judiciary.

Ordered, That the nomination of Robert C. Buchanan and Alvan C. Gillem, Frederick W. Elby and others and Joel G Trimble and others be referred to the Committee on Military Affairs and the Militia, and printed in confidence for the use of the Senate.

Ordered, That the nomination of Robert Flint be referred to the Committee on Military Affairs and the Militia.

Mr. Rice, from the Committee on the Judiciary, to whom was referred, the 18 December last, the nomination of Joseph S. T. Rowland, reported adversely thereon.

Mr. Thayer, from the Committee on Indian Affairs, to whom was referred, the 18th December last, the nomination of Jose Manuel Gallegos reported adversely thereon.

Mr. Corbett, from the Committee on Indian Affairs, to whom was referred, the 18 December last, the nomination of William J. Cullen; and the 19th instant, the nomination of Rockey P. Earhart, reported the same with the recommendation that they lie on the table.

Mr. Conness, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 19th instant, the nomination of Wm. H. Avery, reported adversely thereon.

Mr. Conness, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 19th instant, the nomination of George H. Pierson and Robert Holmes, reported favorably thereon.

Mr. Trumbull, from the Committee on the Judiciary, to whom was referred, the 19th instant, the nomination of George I. Stubblefield, reported adversely thereon.

Mr. Morton, from the Committee on Military Affairs and the Militia, to whom was referred, this day, the nomination of Robert Flint, reported favorably thereon.

Mr. Rice, from the Committee on the Judiciary, to whom was referred, the 18th December last, the communication from the Attorney-General in reference to the suspension from office on the 19th day of August, 1868, of Luther C. White, reported the following resolution; which was considered, by unanimous consent, and agreed to, viz:

Resolved, That the Senate do not concur in the suspension, by the President of the United States, of Luther C. White as marshal of the western district of Arkansas.

Mr. Sumner, from the Committee on Foreign Relations, submitted additional papers relative to the negotiations with Denmark for the purchase of St. Thomas and St. John; which were ordered to be printed in confidence for the use of the Senate.

On motion by Mr. Morton,

The Senate proceeded, by unanimous consent, to consider the nomination of Robert Flint; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Sherman.

The Senate proceeded to consider the nomination of Alexander Cummings.

After debate,

On motion by Mr. Sherman that the said nomination be recommitted to the Committee on Finance,

It was determined in the negative, { Yeas 23
Nays 28

On motion by Mr. Sherman,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Abbot, Cattell, Conkling, Corbett, Henderson, Howe, Morgan, Morrill of Me., Morrill of Vt., Patterson of N. H., Pomeroy, Cragin, Edmunds, Ferry, Frelinghuysen, Sherman, Trumbull, Van Winkle, Warner, Williams, Wilson, Sawyer.

Those who voted in the negative are,

Messrs. Buckalew, Cameron, Conness, Davis, Dickson, Doolittle, Drake, Fowler, Harlan, Harris, Howard, Kellogg, McCreery, McDonald, Morton, Norton, Nye, Osborne, Patterson of Tenn., Pool, Rice, Ross, Spencer, Stewart, Thayer, Vickers, Wade, and Willey.

So the motion was not agreed to.

The question recurring, Will the Senate advise and consent to the appointment of Alexander Cummings?

After further debate,

On motion by Mr. Trumbull,

The Senate adjourned.

THURSDAY, JANUARY 28, 1869.

The following messages were received from the President of the United States by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Shelah Waters, of Tennessee, to be minister resident of the United States to the Republic of Ecuador, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 22, 1869.

To the Senate of the United States:

I nominate Joseph J. Stewart, of Maryland, to be minister resident of the United States at Constantinople, vice Edward Joy Morris, recalled.

ANDREW JOHNSON.

WASHINGTON, *January* 22, 1869.

To the Senate of the United States:

I nominate D. M. Grissom, of Missouri, to be pension agent at Saint Louis, Missouri, vice E. B. Brown, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 22, 1869.

To the Senate of the United States:

I nominate Delos Lake to be attorney of the United States for the district of California, from and after February 14th, 1869, when his present term of office will expire.

ANDREW JOHNSON.

EXECUTIVE OFFICE, *January* 22, 1869.

To the Senate of the United States:

I nominate William E. Mathes, of Tennessee, to be surveyor-general of Wyoming Territory.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 23, 1869.

To the Senate of the United States:

I nominate Lemuel Jeffries, of Maryland, to be receiver of public moneys for the district of lands subject to sale in the land district of Wyoming Territory.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 23, 1869.

To the Senate of the United States:

I nominate S. K. N. Patton, of Tennessee, to be register of the land office for the land district of Wyoming Territory.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 23, 1869.

To the Senate of the United States:

I nominate Henry Z. Hayner to be chief justice of the supreme court of the Territory of Wyoming.

ANDREW JOHNSON.

EXECUTIVE MANSION, *January* 23, 1869.

To the Senate of the United States:

I nominate John H. Howe to be an associate justice of the supreme court of the Territory of Wyoming.

ANDREW JOHNSON.

EXECUTIVE MANSION, *January* 23, 1869.

To the Senate of the United States:

I nominate William F. Pidgeon to be an associate justice of the supreme court of the Territory of Wyoming.

ANDREW JOHNSON.

EXECUTIVE MANSION, *January* 23, 1869.

To the Senate of the United States:

I nominate Smith P. Young to be marshal of the United States for the Territory of Wyoming.

ANDREW JOHNSON.

EXECUTIVE MANSION, *January* 23, 1869.

To the Senate of the United States:

I nominate Edward P. Johnson to be attorney of the United States for the Territory of Wyoming.

ANDREW JOHNSON.

EXECUTIVE MANSION, *January* 22, 1869.

To the Senate of the United States:

I nominate Henry M. Slade, of Ohio, to be secretary of the Territory of Wyoming.

ANDREW JOHNSON.

WASHINGTON, *January* 23, 1869.

To the Senate of the United States:

I nominate Mathew F. Pleasants, of New York, to be governor of the Territory of Wyoming.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 23, 1869.

To the Senate of the United States:

I nominate Jeramiah D. Hyde, of California, to be register of the land office at Visalia, California, vice H. N. Briggs, resigned.

ANDREW JOHNSON.

WASHINGTON, *January* 23, 1869.

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To the Senate of the United States:

I nominate John A. Lafferty to be deputy postmaster at Georgetown, in the county of Clear Creek and Territory of Colorado, the office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 22, 1869.

To the Senate of the United States:

I nominate Orson Ames to be deputy postmaster at Lebanon, in the county of Marion and State of Kentucky, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, *January* 22, 1869.

To the Senate of the United States:

I nominate Mollie Carter to be deputy postmaster at Harrodsburg, in the county of Mercer and State of Kentucky, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, *January* 22, 1869.

To the Senate of the United States:

I nominate Samuel Feland to be deputy postmaster at Hopkinsville, in the county of Christian and State of Kentucky, office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, *January* 22, 1869.

To the Senate of the United States:

I nominate Charles W. Champlin to be deputy postmaster at Waterloo, in the county of Black Hawk and State of Iowa; no action on nomination sent 26 July, 1868.

ANDREW JOHNSON.

WASHINGTON, *January* 22, 1869.

To the Senate of the United States:

I nominate William Heffner to be deputy postmaster at Shreveport, in the county of Caddo and State of Louisiana, in place of C. H. Thompson, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 22, 1869.

To the Senate of the United States:

I nominate John S. Berkshier to be deputy postmaster at Washington, in the county of Daviess and State of Indiana, the office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, *January* 22, 1869.

To the Senate of the United States:

I nominate George M. Yard to be deputy postmaster at Oakland, in the county of Alameda and State of California, the office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 22, 1869.

To the Senate of the United States:

I nominate Lyman Leslie to be deputy postmaster at Vallejo, in the county of Solano and State of California, the office having become Presidential.

ANDREW JOHNSON.

WASHINGTON, *January* 22, 1869.

To the Senate of the United States:

I nominate the person herein named for reappointment in the Army of the United States:

James Riley, late second lieutenant in the Thirty-seventh Regiment United States Infantry, to be second lieutenant in the Thirty-second Regiment United States Infantry, January 18, 1869, vice Guthrie, promoted.

ANDREW JOHNSON.

WASHINGTON, *January* 19, 1869.

To the Senate of the United States:

I nominate the person herein named for appointment in the Army of the United States:

Sergeant Michael Moore, of the general service, United States Army, to be second lieutenant in the Ninth Regiment United States Infantry, January 19, 1869, vice Trout, promoted.

ANDREW JOHNSON.

WASHINGTON, *January* 19, 1869.

NOTE.—Sergeant Moore, who has been continually in the Army for 56 years, and who has served in the wars of 1812, Black Hawk, and Florida, applies to be appointed 2d lieutenant in the Army and immediately thereafter to be retired. His application is strongly indorsed by Brevet Major-General Daniel Butterfield, superintendent of the general recruiting service; by Brevet Major-General Harvey Brown, U. S. Army; and by Brevet Brigadier-General H. D. Waller, commanding recruiting depot, Fort Columbus; also by General Grant, who concurs in the recommendation that Sergeant Moore be appointed 2d lieutenant and then retired for his long-continued and meritorious services First Lieutenant Charles E. Moore, 16 U. S. Infantry, who is a son of the sergeant, also urges the appointment requested by his father. This nomination is therefore made in view of the above-mentioned recommendations of the long and faithful services of the sergeant and as a reward for the same.

ANDREW JOHNSON.

WASHINGTON, *January* 19, 1869.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be first lieutenant by brevet.

Second Lieutenant Hayden De Laney, of the Ninth Regiment United States Infantry, for gallant and meritorious services in action with the Pah Ute Indians in Warner Valley, Oregon, May 1, 1868, to date from May 1st, 1868.

Second Lieutenant Henry I. Reilly, of the Fifth Regiment United State Artillery, for meritorious services, to date from October 1, 1867.

ANDREW JOHNSON.

WASHINGTON, *January* 21, 1869.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be captain by brevet.

First Lieutenant Henry H. Abeel, of the Seventh Regiment United States Cavalry, for gallant and meritorious services during the war, to date from March 2, 1867.

First Lieutenant James Stewart, of the Fourth Regiment United States Artillery, for gallant and distinguished services in the battle of Gettysburg, Pa., to date from July 1, 1863.

First Lieutenant Carrol H. Potter, adjutant of the Eighteenth Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *January* 21, 1869.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be lieutenant-colonels by brevet.

Brevet Major James F. Randlett, captain in the Thirty-ninth Regiment United States Infantry, for distinguished gallantry at the assault of Drury's Bluff, Va., May 13, 1864, to date from June 6, 1867.

Brevet Major James Stewart, first lieutenant in the Fourth Regiment United States Artillery, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Major William Sinclair, captain in the Third Regiment United States Artillery, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Major Carroll H. Potter, first lieutenant and adjutant of the Eighteenth Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *Jan'ry* 21, 1869.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be colonels by brevet.

Brevet Lieutenant-Colonel Moses B. Walker, captain in the Twelfth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 13, 1865.

Lieutenant-Colonel Henry A. Morrow, of the Thirty-sixth Regiment United States Infantry, for gallant and distinguished services in the battle of Gettysburg, Pa., July 1, 1863, to date from March 2, 1867.

Brevet Lieutenant-Colonel William Sinclair, captain in the Third Regiment United States Artillery, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *January* 21, 1869.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be majors by brevet.

Captain James F. Randlett, of the Thirty-ninth Regiment United States Infantry, for gallant and meritorious conduct at the siege of Fort Wagner, September 7, 1863, to date from June 6, 1867.

Brevet Captain Henry H. Abeel, first lieutenant in the Seventh Regiment United States Cavalry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Captain Francis E. Lacey, first lieutenant in the Second Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Captain James Stewart, first lieutenant in the Fourth Regiment United States Artillery, for gallant and meritorious services in the battle on the Weldon Railroad, Va., to date from August 18, 1864.

Captain Lewis M. Hamilton, of the Seventh Regiment United States Cavalry, for gallant and meritorious services in engagements with the Indians, particularly in the battle with the Cheyennes on the Washita River, November 27, 1868, where he fell while gallantly leading his command, to date from November 27, 1868.

Brevet Captain Carroll H. Potter, first lieutenant and adjutant of the Eighteenth Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *January* 21, 1869.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be colonel by brevet.

Lieutenant-Colonel Franklin F. Flint, of the Seventh Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 13, 1865.

To be brigadier-general by brevet.

Brevet Colonel Franklin F. Flint, lieutenant-colonel of the Seventh Regiment United States Infantry, for faithful and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *January* 23, 1869.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be brigadier-general by brevet.

Brevet Colonel Delancey Floyd-Jones, lieutenant-colonel of the Nineteenth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *January* 22, 1869.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be brigadier-general by brevet.

Brevet Colonel Henry A. Morrow, lieutenant-colonel of the Thirty-sixth Regiment United States Infantry, for gallant and meritorious services in the battle of Hatcher's Run, Va., February 6, 1865, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *January* 21, 1869.

To the Senate of the United States:

I nominate the person named herein for appointment by brevet in the Volunteer force:

To be major by brevet.

Edward L. Anderson, late captain of the Fifty-second Ohio Volunteers, for gallant and meritorious services in the battle of Jonesboro', Georgia, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *January* 21, 1869.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be lieutenant-colonels by brevet.

Calvin Goddard, late major and assistant adjutant-general of Volunteers, for gallant and meritorious services in the battle of Iuka and the defense of Corinth, to date from March 13, 1865.

Brevet Major Edward L. Anderson, late captain of the Fifty-second Ohio Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *January* 21, 1869.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be colonels by brevet.

Brevet Lieutenant-Colonel Calvin Goddard, late major and assistant general of Volunteers, for gallant and meritorious services in the bat-

tle of Stone River, and in all the campaigns and battles of the Army of the Cumberland until after the battle of Wauhatchie, to date from March 13, 1865.

Brevet Lieutenant-Colonel Samuel W. Taylor, late captain and aide-de-camp, for gallant and meritorious services at the battle of Peach Tree Creek, Georgia, July 20, 1864, to date from March 13, 1865.

Isaac R. Hawkins, late lieutenant-colonel of the Seventh Tennessee Cavalry, for gallant conduct during the rebellion, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *January* 21, 1869.

To the Senate of the United States:

I nominate the persons herein named for appointments by brevet in the Volunteer force:

To be brigadier-generals by brevet.

Henry A. Smally, late colonel of the Fifth Vermont Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Colonel Isaac R. Hawkins, late lieutenant-colonel of the Seventh Tennessee Cavalry, for gallant conduct during the rebellion, to date from March 13, 1865.

John Scott, late colonel of the Thirty-second Iowa Volunteers, for gallant conduct in the battle of Pleasant Hill, Louisiana, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *January* 21, 1869.

To the Senate of the United States:

I nominate William F. Keeler to be deputy postmaster at La Salle, in the county of La Salle and State of Illinois, in place of Edwin B. Mason.

ANDREW JOHNSON.

WASHINGTON, *January* 26, 1869.

To the Senate of the United States:

I nominate John B. Tyre to be deputy postmaster at Wabash, in the county of Wabash and State of Indiana; commission expired.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 26, 1869.

To the Senate of the United States:

I nominate Wm. W. Worthington to be deputy postmaster at Attica, in the county of Fountain and State of Indiana, in place of Cyrus P. Worford, resigned.

ANDREW JOHNSON.

WASHINGTON, *January* 26, 1869.

To the Senate of the United States:

I nominate James Johnson to be deputy postmaster at Waco, in the county of McLennan and State of Texas, in place of N. W. Harris, resigned.

ANDREW JOHNSON.

WASHINGTON, *January* 26, 1869.

To the Senate of the United States:

I nominate Thomas C. Allen to be deputy postmaster at Indianola, in the county of Calhoun and State of Texas, in place of Charles H. Sheeman, deceased.

ANDREW JOHNSON.

WASHINGTON, *January* 26, 1869.

To the Senate of the United States:

I nominate A. H. Barnes to be deputy postmaster at Delavan, in the county of Walworth and State of Wisconsin, in place of Charles Smith.

ANDREW JOHNSON.

WASHINGTON, *January* 26, 1869.

To the Senate of the United States:

I nominate Anthony Steinberger to be deputy postmaster at Santa Fé, in the county of Santa Fé and Territory of New Mexico, in place of George T. Martin, removed.

ANDREW JOHNSON.

WASHINGTON, *January* 26, 1869.

To the Senate of the United States:

I nominate John B. Peyton to be deputy postmaster at Russellville, in the county of Logan and State of Kentucky, to fill vacancy.

ANDREW JOHNSON.

WASHINGTON, *January* 26, 1869.

To the Senate of the United States:

I nominate Ellis W. Merrill to be deputy postmaster at Muskegon, in the county of Muskegon and State of Michigan, in place of William W. Owen, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 26, 1869.

To the Senate of the United States:

I nominate W. W. Montgomery to be deputy postmaster at Bellefonte, in the county of Centre and State of Pennsylvania.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 26, 1869.

To the Senate of the United States:

I nominate H. L. Stephens to be deputy postmaster at Honesdale, in the county of Wayne and State of Pennsylvania, in place of Robert Smith, whose commission expired January 18, 1868.

ANDREW JOHNSON.

WASHINGTON, *January* 26, 1869.

To the Senate of the United States:

I nominate A. Sidney Russell to be deputy postmaster at Bedford, in the county of Bedford and State of Pennsylvania.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 26, 1869.

To the Senate of the United States:

I nominate Simon M. Johnson to be a commissioner under the act of Congress approved June 27, 1866, entitled an act to provide for the revision and consolidation of the statute laws of the United States, vice Caleb Cushing, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *January* 26, 1869.

To the Senate of the United States:

I nominate Edward D. Neill, of Minnesota, to be Commissioner of Education, vice Henry Barnard.

ANDREW JOHNSON.

WASHINGTON, *January* 26, 1869.

To the Senate of the United States:

I nominate Isaac Gass to be assessor of internal revenue 8th district of Ohio, in place of Milton W. Warden, deceased.

ANDREW JOHNSON.

WASHINGTON, *January* 26, 1869.

To the Senate of the United States:

I transmit to the Senate, for its consideration with a view to ratification, an additional article to the convention between the United States and His Majesty the King of Italy, for regulating the jurisdiction of consuls.

ANDREW JOHNSON.

WASHINGTON, *January* 22, 1869.

To the Senate of the United States:

I transmit to the Senate for its consideration, with a view to ratification, an additional article to the convention between the United States and His Majesty the King of Italy for the mutual extradition of criminals, fugitives from justice.

ANDREW JOHNSON.

WASHINGTON, *January* 22, 1869.

To the Senate of the United States:

I herewith lay before the Senate, for the constitutional action of that body, a treaty concluded at the council-house on the Cattarangus Reservation in Erie County, New York, on the 4th day of December, 1868, by Walter R. Irwin, commissioner on the part of the United States, and the duly-authorized representatives of the several tribes and bands of Indians residing in the State of New York. A copy of a letter from the Secretary of the Interior, dated the 22d instant, and the papers therein referred to in the relation to the treaty are also herewith transmitted.

ANDREW JOHNSON.

EXECUTIVE MANSION, *January* 23, 1869.

The messages were read.

Ordered, That the nominations of Shelah Waters and Joseph J. Stewart be referred to the Committee on Foreign Relations.

Ordered, That the nomination of D. M. Gresson be referred to the Committee on Pensions.

Ordered, That the nominations of Delos Lake, Henry Z. Hayner, James H. Howe, W. F. Pidgeon, Smith P. Young, and Edward P. Johnson be referred to the Committee on the Judiciary.

Ordered, That the nominations of Henry M. Slade and Mathew F. Pleasants be referred to the Committee on Territories.

Ordered, That the nominations of Wm. E. Mathes, Lemuel Jeffries, S. K. N. Patton, and Jeremiah D. Hyde be referred to the Committee on Public Lands.

Ordered, That all messages received this day containing nominations for deputy postmasters be severally referred to the Committee on Post-Offices and Post-Roads.

Ordered, That the nominations of James Riley, Michael Moore, Hayden De Laney, and Henry J. Reilly, Henry H. Abeel and others. James F. Randlett and others, Moses B. Walker and others, James F. Randlett and others, Franklin F. Flint, De Lancey Floyd-Jones, Henry A. Morrow, Edward L. Anderson, Calvin Goddard, and others, and Henry J. Smalley and others, be referred to the Committee on Military Affairs and the Militia, and printed in confidence for the use of the Senate.

Ordered, That the nomination of Simeon M. Johnson be referred to the Committee on the Revision of the Laws of the United States.

Ordered, That the nomination of Edward D. Neill be referred to the Committee on Education.

The additional article to the convention between the United States and His Majesty the King of Italy for regulating the jurisdiction of consuls, concluded the 21st January, 1869, was read the first time.

On motion by Mr. Sumner,

Ordered, That the said additional article be referred to the Committee on Foreign Relations, and, with the message, printed in confidence for the use of the Senate.

The additional article for the surrender of criminals between the United States and His Majesty the King of Italy, of the 23d March, 1868, concluded January 21, 1869, was read the first time.

On motion by Mr. Sumner,

Ordered, That the said additional article be referred to the Committee on Foreign Relations, and, with the message, printed in confidence for the use of the Senate.

The treaty between the United States and the several tribes and bands of Indians residing in the State of New York, concluded at the council-house, Cattaraugus Reserve, New York, the 4th of December, 1868, was read the first time.

On motion by Mr. Henderson,

Ordered, That the said treaty be referred to the Committee on Indian Affairs, and, with the message, printed in confidence for the use of the Senate.

Mr. Pomeroy presented a resolution of the legislature of Kansas, praying the ratification of the Shawnee Indian treaty now pending before the Senate, in a way that will be equitable and just to the occupants of the Shawnee Indian lands, which was referred to the Committee on Indian Affairs.

Mr. Sumner, from the Committee on Foreign Relations, to whom were referred, the 19th instant, the convention between the United States and Belgium on the subject of naturalization, signed at Brussels, November 16, 1868; and the additional article to the treaty of commerce and navigation between the United States and Belgium, of the 17th July, 1868, signed at Brussels on the 20th December, 1868, reported

them severally without amendments, and with the recommendation that they be ratified.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 5th instant, the nomination of Thomas N. Stillwell, reported favorably thereon.

On motion by Mr. Anthony,

Ordered, That the Committee on Commerce be discharged from the further consideration of the nomination of Samuel Howard.

On motion by Mr. Anthony,

The Senate proceeded to consider the said nomination, and

Resolved, That the Senate advise and consent to the appointment of Samnel Howard, agreeably to the nomination.

Mr. Cattell, from the Committee on Finance, to whom was referred, the 7th instant, the nomination of Wm. Barber, reported favorably thereon.

On motion by Mr. Cattell,

The Senate proceeded, by nnanimous consent, to consider the said nomination; and

Resolved, That the Senate advise and consent to the appointment of Wm. Barber, agreeably to the nomination.

Mr. Morgan, from the Committee on Finance, to whom were referred, the 5th instant, the nomination of Otis H. Russell, and the 19th instant, the nominations of David H. Abell and William H. Tiffany, reported adversely thereon.

Mr. Morgan, from the Committee on Commerce, to whom were referred, the 7th instant, the nomination of Andrew Van Dyke, and the 19th instant the nomination of John Savage, reported adversely thereon.

Mr. Wilson, from the Committee on Military Affairs and the Militia, to whom were referred, the 20th instant, the nomination of Robert C. Buchannan and Alvan C. Gillem, reported adversely thereon.

Mr. Sherman, from the Committee on Finance, to whom was referred, this day, the nomination of Isaac Gass, reported favorably thereon.

Mr. Morrill, of Vermont, from the Committee on Commerce, to whom was referred, the 20th instant, the nomination of Nathaniel K. Sawyer, reported favorably thereon.

Mr. Drake, from the Committee on Naval Affairs, to whom was referred, the 14th December last, the nomination of James F. Armstrong, reported favorably thereon.

Mr. Kellogg, from the Committee on Commerce, to whom was referred the 20th instant, the nomination of Wm. H. Wisner, reported adversely thereon.

Mr. Harlan, from the Committee on the District of Columbia, to whom was referred, the 18th December last, the nomination of Samuel C. Mills, reported favorably thereon.

Mr. Willey, from the Committee on Patents, to whom were referred, the 14th December last, the nomination of Benjamin F. James, reported favorably thereon.

Mr. Henderson, from the Committee on Finance, to whom were referred, the 19th instant, the nominations of John E. Detrich and M. W. Reynolds, reported favorably thereon.

Mr. Henderson, from the Committee on Finance, to whom was referred, the 19th instant, the nomination of R. H. Hunt, reported the same with a recommendation that it lie on the table.

Mr. Warner, from the Committee on Finance, to whom was referred, the 19th instant, the nomination of Calvin J. Cowles, reported favorably thereon.

Mr. Ross, from the Committee on Indian Affairs, to whom was referred, the 19th instant, the nomination of Alexander R. Banks, reported favorably thereon.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom were referred, this day, the nominations of W. W. Montgomery, H. L. Stephens, and A. Sidney Russell, reported favorably thereon.

On motion by Mr. Fessenden,

Ordered, That the Senate reconsider its resolution of this day advising and consenting to the appointment of Samuel Howard.

On motion by Mr. Cragin,

Ordered, That the nomination of James A. Suydam be recommitted to the Committee on Post-Offices and Post-Roads.

The Calender being in order,

On motion by Mr. Conkling,

Ordered, That only such nominations be considered to which no objection might be made.

Wherenpon,

The Secretary, by direction of the President *pro tempore*, proceeded to call the names on the Calender, and, objection being made to each name as called, as far as proceeded with,

On motion by Mr. Trumbull,

The Senate adjourned.

THURSDAY, FEBRUARY 11, 1869.

The following messages were received from the President of the United States by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate John C. Martin to be deputy postmaster at Finley, in the county of Hancock and State of Ohio, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, *January* 29, 1869.

To the Senate of the United States:

I nominate Thomas S. Wilson, of California, to be consul of the United States at Copenhagen, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, *January* 30, 1869.

To the Senate of the United States:

I nominate John J. Wise to be deputy postmaster at Penn Yan, in the county of Yates and State of New York, in place of I. L. Robbins, rejected by the Senate.

ANDREW JOHNSON.

WASHINGTON, *January* 26, 1869.

To the Senate of the United States:

I nominate the person herein named for appointment in the Army of the United States:

Richard H. Rousseau, jr., late second lieutenant in the First Regiment United States Cavalry, to be second lieutenant in the Fourth Regiment United States Cavalry, January 22, 1869, vice Vernon, promoted.

ANDREW JOHNSON.

WASHINGTON, *January* 23, 1869.

To the Senate of the United States:

I nominate the person herein named for appointment in the Army of the United States, he having passed the examination required by law:

Augustus C. Paul, late captain and assistant adjutant-general of Volunteers, to be second lieutenant in the Third Regiment United States Cavalry, January 23, 1869, vice Thompson, promoted.

ANDREW JOHNSON.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be first lieutenant by brevet.

Second Lieutenant William H. Hick, of the Fourth Regiment United States Cavalry, for gallant and meritorious services in action at Sulphur Springs, Va., to date from March 7, 1867.

ANDREW JOHNSON.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be captain by brevet.

Brevet First Lieutenant William H. Hick, second lieutenant in the Fourth Regiment United States Cavalry, for gallant and meritorious services during the war, to date from March 7, 1867.

ANDREW JOHNSON.

WASHINGTON, *January* 25, 1869.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be major by brevet.

Brevet Captain William H. Hick, second lieutenant in the Fourth Regiment United States Cavalry, for gallant and meritorious services during the war, to date from March 7, 1869.

ANDREW JOHNSON.

WASHINGTON, *January* 25, 1869.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be lieutenant-colonels by brevet.

Brevet Major Clarence E. Bennett, captain in the Seventeenth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Major William H. Hick, second lieutenant in the Fourth Regiment United States Cavalry, for gallant and meritorious services during the war, to date from March 7, 1867.

ANDREW JOHNSON.

WASHINGTON, *January* 25, 1869.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be colonels by brevet.

Brevet Lieutenant-Colonel Clarance Bennett, captain in the Seventeenth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Lieutenant-Colonel William H. Hick, second lieutenant in the Fourth Regiment United States Cavalry, for gallant and meritorious services during the war, to date from March 7, 1869.

ANDREW JOHNSON.

WASHINGTON, *January* 25, 1869.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be brigadier-general by brevet.

Brevet Colonel Agustus G. Tassin, captain in the Twelfth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *January* 25, 1869.

To the Senate of the United States:

I nominate the persons herein named for appointment in the Army of the United States:

PAY DEPARTMENT.

To be paymasters.

David Taylor, late additional paymaster of Volunteers, February 3d, 1869, vice Pomeroy, deceased.

Frank Bridgman, late additional paymaster of Volunteers, February 3, 1869, vice Leslie, retired.

ANDREW JOHNSON.

WASHINGTON, *February* 4, 1869.

To the Senate of the United States:

I nominate Henry S. Watts, of Pennsylvania, to be secretary of the legation of the United States at Vienna, vice John Hay, resigned.

ANDREW JOHNSON.

WASHINGTON, *February 4th*, 1869.

To the Senate of the United States:

I nominate James Harris, of Rhode Island, to be marshal of the consular court of the United States at Kanagawa, Japan, vice Paul Frank, resigned.

ANDREW JOHNSON

WASHINGTON, *February* 4, 1869.

To the Senate of the United States:

I nominate Passed Assistant Paymaster Leonard A. Frailey to be paymaster in the Navy, from the 29th of January, 1869, vice Paymaster Edward Bellows, dismissed, and Assistant Paymaster J. Porter Loomis, to be a passed assistant paymaster in the Navy, from the 29th January, 1869, vice Passed Assistant Paymaster L. A. Frailey, nominated for promotion.

ANDREW JOHNSON.

WASHINGTON, CITY, *February* 6, 1869.

To the Senate of the United States:

Under the provisions of the first section of the act approved July 25, 1866, for services in command of the Potomac Flotilla, I nominate Commodore Andrew A. Harwood, on the retired-list, to be a rear-admiral in the Navy on the retired-list.

ANDREW JOHNSON.

WASHINGTON, CITY, *February* 6, 1869.

To the Senate of the United States:

I nominate Edward Stephens, of New Jersey, to be U. S. consul at Manchester, England, vice H. G. Wells.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 8, 1869.

To the Senate of the United States:

I nominate Thomas P. Smith, of Massachusetts, now consul at La Rochelle, to be consul of the United States, at Paris, vice John G. Nicolay.

ANDREW JOHNSON.

WASHINGTON, *February 8th*, 1869.

To the Senate of the United States:

I nominate Wm. D. Spaulding, of New York, to be United States consul at Yeddo, Japan.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 8, 1869.

To the Senate of the United States:

I nominate George H. Kingsbury to be collector of internal revenue 3d district of Massachusetts, vice Wm. H. McCartney, to be removed.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 8, 1869.

To the Senate of the United States:

I nominate the person herein named for appointment in the Army of the United States:

To be post chaplain.

C. A. Bruce, of Illinois, February 8, 1869, vice Palon, retired.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be first lieutenants by brevet.

Second Lieutenant John B. Guthrie, of the Thirteenth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Second Lieutenant William Conway, of the Sixteenth Regiment United States Infantry, for gallant and meritorious services in the battles of Bull Run, Va., and Gettysburg, Pa., to date from March 2, 1867.

Second Lieutenant Charles L. Cooper, of the Thirty-ninth Regiment United States Infantry, for meritorious services at the battle of Gettysburg, Pa., to date from March 2, 1869.

ANDREW JOHNSON.

WASHINGTON, *February* 8, 1869.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be captains by brevet.

Brevet First Lieutenant John B. Guthrie, second lieutenant in the Thirteenth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet First Lieutenant William Conway, second lieutenant in the Sixteenth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

First Lieutenant Alexander H. Stanton, of the First Regiment United States Cavalry, for gallantry in an engagement with a large band of Indians on Malhuer River, Oregon, April 5, 1868, to date from April 5, 1868.

First Lieutenant John F. Small, of the First Regiment United States Cavalry, for gallantry in charging a band of Indians, killing and capturing more of the enemy than he had men, on Silver Lake, Oregon, September 8, 1867, to date from September 8, 1867.

First Lieutenant Richard I. Eskridge, of the Twenty-third Regiment United States Infantry, for conspicuous gallantry in charging a large band of Indians, strongly fortified in the Infernal Caverns, Pitt River, Cal., September 26, 1867, to date from Sept. 26, 1867.

First Lieutenant John Madigan, of the First Regiment United States Cavalry, for conspicuous gallantry in charging a large band of Indians, strongly fortified in the Infernal Caverns, Pitt River, California, where killed, to date from September 27, 1867.

Brevet First Lieutenant Charles L. Cooper, second lieutenant in the Thirty-ninth Regiment United States Infantry, for gallant conduct in front of Petersburg, Va., on the 3d of April, 1865, and in the campaign ending with the fall of Petersburg and Richmond, Va., and the surrender of General Lee, at Appomattox Court-House, Va., to date from March 2, 1867.

First Lieutenant Alexander H. Wands, of the Thirty-sixth Regiment United States Infantry, for gallant and meritorious services, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *February* 8, 1869.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be majors by brevet.

Captain William Kelley, of the Eighth Regiment United State Cavalry, for gallantry in an engagement with a large band of Indians on Malhuer River, Oregon, April 5, 1868, to date from April 5, 1868.

Brevet Captain Charles L. Cooper, second lieutenant in the Thirty-ninth Regiment United States Infantry, for meritorious services during the war, to date from March 2, 1867.

Brevet Captain Alexander H. Wands, first lieutenant in the Thirty-sixth Regiment United States Infantry, for gallant and meritorious services, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *February* 8, 1869.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be lieutenant-colonels by brevet.

Brevet Major David Perry, captain in the First Regiment United States Cavalry, for gallantry in an engagement with a large band of Indians on the Owyhee River, I. T., December 26, 1866, to date from December 26, 1866.

Brevet Major James C. Hunt, captain in the First Regiment United States Cavalry, for gallantry in an engagement with a large band of Indians at Steens Mountain, Oregon, January 29, 1867, to date from January 29, 1867.

Brevet Major William R. Parnell, first lieutenant in the First Regiment United States Cavalry, for conspicuous gallantry in charging a large band of Indians, strongly fortified in the Infernal Caverns, Pitt River, Cal., September 26, 1867, to date from September 26, 1867.

Brevet Major Alexander H. Wands, first lieutenant in the Thirty-sixth Regiment United States Infantry, for gallant and meritorious services, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *February* 8, 1869.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet for the Army of the United States:

To be colonels by brevet.

Brevet Lieutenant Colonel William Redwood Price, major in the Eighth Regiment United States Cavalry, for gallant and meritorious services in an engagement with Indians in the vicinity of Walker's Spring, in the Aquarious Range, Arizona Territory, on the 10th and 13th of December, 1868, to date from December 10, 1868.

Brevet Lieutenant-Colonel David Perry, captain in the First Regiment United States Cavalry, for gallantry in an engagement with a large band of Indians on the Malhuer River, Oregon, April 5, 1868, to date from April 5, 1868.

Brevet Lieutenant-Colonel Eugene M. Baker, captain in the First Regiment United States Cavalry, for zeal and energy while in command of troops operating against hostile Indians in 1866, 1867, and 1868, to date from December 1, 1868.

Brevet Lieutenant-Colonel John I. Coppenger, captain in the Twenty-third Regiment United States Infantry, for zeal and energy while in command of troops operating against hostile Indians in 1866, 1867, and 1868, to date from December 1, 1868.

ANDREW JOHNSON.

WASHINGTON, *February* 8, 1869.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be brigadier-general by brevet.

Colonel Henry B. Carrington, of the Eighteenth Regiment United States Infantry, for faithful services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *February* 8, 1869.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be majors by brevet.

John H. Howel, late captain of the Third New York Light Artillery, for gallant and meritorious services in the battle of Seven Pines, Virginia, to date March 13, 1865.

Roger L. Littlefield, late captain of the First Massachusetts Heavy Artillery, for gallant and meritorious services in the battle of Petersburg, Va., June 16, 1864, to date from March 13, 1865.

Jacob H. Beattes, late captain of the Veteran Reserve Corps, for gallant and meritorious services in the battle of West Point, Virginia, May 8, 1862, to date from March 13, 1865

John J. McCook, late captain and aide-de-camp, for gallant and meritorious services in action at Shady Grove, Va., May 30, 1864, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *February* 8, 1869.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be lieutenant-colonels by brevet.

Leopold Blumenberg, late major of the Fifth Maryland Volunteers, for gallant and meritorious services in the battle of Antietam, Md., to date from March 13, 1865.

Brevet Major John J. McCook, late captain and aide-de camp, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *February* 8, 1869.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be colonels by brevet.

John W. Babbitt, late lieutenant-colonel of the Ninth New Hampshire Volunteers, for gallant and meritorious services in the battle of Spottsylvania, Va., to date from March 13, 1865.

Brevet Lieutenant-Colonel Leopold Blumenberg, late major of the Fifth Maryland Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *February* 8, 1869.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be brigadier-generals by brevet.

Brevet Colonel John W. Babbitt, late lieutenant-colonel of the Ninth New Hampshire Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

John H. Taggart, late colonel of the Twelfth Regiment Reserves, for gallant and meritorious services in the Peninsular campaign in 1862, to date from March 13, 1865.

Brevet Colonel Leopold Blumenberg, late major in the Fifth Maryland Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Robert L. McCook, late colonel of the Ninth Ohio Volunteers, for gallant and meritorious services, to date from August 5, 1862, when mortally wounded by guerrillas.

ANDREW JOHNSON.

WASHINGTON, *February* 8, 1869.

To the Senate of the United States:

I nominate the persons herein named for appointment in the Volunteer force by brevet:

To be major generals by brevet.

Max Weber, late brigadier-general of Volunteers, for distinguished gallantry, skill, and good conduct in the battle of Antietam, Md., to date from March 13, 1865.

Daniel McCook, late brigadier-general of Volunteers, for gallant and meritorious services in action at Kenesaw Mountain, Ga., where mortally wounded, to date from July 17, 1864.

Brevet Brigadier-General Robert L. McCook, late colonel of the Ninth Ohio Volunteers, for gallant and meritorious services, to date from August 5, 1862, when mortally wounded by guerrillas.

ANDREW JOHNSON.

WASHINGTON, *February* 8, 1869.

To the Senate of the United States:

I herewith lay before the Senate, for its constitutional action thereon, two treaties made by the Commissioners appointed under the act of Congress of 20th July, 1867, to establish peace with certain hostile tribes, viz:

A treaty concluded at Fort Laramie, Dakota Territory, on the 29th April, 1868, with various bands of the Sioux or Dakota Nation of Indians.

A treaty concluded at Fort Bridger, Utah Territory, on the 3d day of July, 1868, with the Shoshone (Eastern band) and Bannock Indians.

A communication from the Secretary of the Interior, dated the 2d instant, inclosing a copy of a letter to him from the Commissioner of Indian Affairs, of the 28th ultimo, together with the correspondence therein referred to relating to said treaties, are also herewith transmitted.

ANDREW JOHNSON.

EXECUTIVE MANSION, *February* 2, 1869.

To the Senate of the United States:

I herewith lay before the Senate, for the constitutional action of that body thereon, the following treaties concluded with various bands and tribes of Indians, by William I. Cullen, special agent for Indians in Montana, viz:

Treaty concluded at Fort Hawley on the 13th July, 1868, with the Gross Ventres.

Treaty concluded at Fort Hawley on the 15 July, 1868, with the River Crow Indians.

Treaty concluded at Fort Benton, September 1, 1868, with the Blackfeet Nation (composed of the tribe of that name and the Blood and Piegan tribes).

Treaty with the mixed bands of Shoshones, Bannocks, and Sheepeaters, concluded at Virginia City September 24, 1868.

A letter of the Secretary of the Interior, dated the 3d instant, and the report of the Commissioner of Indian Affairs, dated the 2d instant, explaining the provisions of the several treaties and suggesting an amendment of some of them, and submitting maps and papers connected with said treaties, are also herewith transmitted.

ANDREW JOHNSON.

EXECUTIVE MANSION, *February* 4, 1869.

To the Senate of the United States:

I herewith lay before the Senate, for its conside ation in connection with the treaty with the New York Indians, concluded November 4, 1868, which is now before that body for its constitutional action, an additional article of said treaty as an amendment.

A communication, dated the 28th instant, from the Secretary of the Interior and a copy of a report of the Commissioner of Indian Affairs explaining the object of the amendment, are also herewith transmitted.

ANDREW JOHNSON.

EXECUTIVE MANSION, *January* 29, 1869.

To the Senate of the United States:

I herewith lay before the Senate, for the constitutional action of that body thereon, a treaty concluded on the 2d day of September, 1868, between the United States and the Creek Nation of Indians by their duly authorized delegates.

A letter from the Secretary of the Interior, dated the 8th instant, and a report of the Commission of Indian Affairs, dated the 6th instant, in relation to said treaty, are also herewith transmitted.

ANDREW JOHNSON.

EXECUTIVE MANSION, *February* 9, 1869.

The messages were read.

Ordered, That the nominations of John C. Martin and John I. Wise be referred to the Committee on Post-Offices and Post-Roads.

Ordered, That the nominations of Thomas S. Wilson, James Harris, Edward Stephens, Thomas P. Smith, and William D. Spaulding be referred to the Committee on Commerce.

Ordered, That all messages received this day containing nominations for appointment and promotions in the Army of the United States and Volunteer forces be severally referred to the Committee on Military Affairs and printed in confidence for the use of the Senate.

Ordered, That the nomination of Henry S. Watts be referred to the Committee of Foreign Relations.

Ordered, That the nomination of Leonard A. Frailey and J. Porter Loomis and Andrew A. Harwood be referred to the Committee on Naval Affairs.

Ordered, That the nomination of George H. Kingsbury be referred to the Committee on Finance.

The following treaties concluded between the United States and various bands and tribes of Indians were severally read the first time:

Treaty with the various bands of the Sioux or Dakota Nation of Indians, concluded at Fort Laramie, Dakota Territory, on the 29th April, 1868.

Treaty with the Shoshone (Eastern band) and Bannock Indians, concluded at Fort Bridger, Utah Territory, on the 3d of July, 1868.

Treaty with the Gross Ventres, concluded at Fort Hawley on the 13th July, 1868.

Treaty with the River Crow Indians, concluded at Fort Hawley on the 15th July, 1868.

Treaty with the Blackfeet Nation (composed of a tribe of that name and the Blood and Piegan tribes), concluded at Fort Benton September 1st, 1868.

Treaty with the mixed bands of Shoshones, Bannocks, and Sheep-eaters, concluded at Virginia City September 24th, 1868, and treaty with the Creek Nation of Indians, concluded on the 2d day of September, 1868.

On motion by Mr. Morrill, of Maine,

Ordered, That the said treaties be severally referred to the Committee on Indian Affairs, and with the accompanying documents, be printed in confidence for the use of the Senate.

The additional article to the treaty with the New York Indians, concluded the 4th November, 1868, was read the first time.

On motion of Mr. Morrill, of Maine,

Ordered. That the said additional article be referred to the Committee on Indian Affairs, and to be printed in confidence for the use of the Senate.

The treaty between the United States of America and Great Britain for the settlement of all outstanding claims, concluded at London the 14th of January, 1869; and

The convention between the United States of America and Great Britain for the determination of the water boundary between their respective possessions, concluded at London the 14th January, 1869, were severally read the first time.

On motion by Mr. Sumner,

Ordered, That the said treaty and convention, with the message and accompanying papers, together with the correspondence between the United States of America and Great Britain relating to the subject of claims, the subject of water boundary, and the subject of naturalized citizens, be referred to the Committee on Foreign Relations, and be

printed in confidence for the use of the Senate, and that one hundred additional copies be printed for the use of the State Department.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 19th January, the convention between the United States and Belgium concerning the rights, privileges, and immunities of consuls in the two countries, signed at Brussels December 5, 1868, reported the same without amendment.

TUESDAY, FEBRUARY 16, 1869.

The following messages were received from the President of the United States by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Captain Gustavus H. Scott to be a commodore in the Navy, from the 10th February, 1869, vice Commodore James P. McKinstry, transferred to the retired list.

ANDREW JOHNSON.

WASHINGTON CITY, *February* 10, 1869.

To the Senate of the United States:

I nominate Charles E. Gale, of Indiana, to be receiver of public moneys for the district of lands subject to sale at Belmont, Nevada.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 11, 1869.

To the Senate of the United States:

I nominate Absalom A. Kyle, of Tennessee, to be register of the land office at Belmont, Nevada.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 11, 1869.

To the Senate of the United States:

I nominate Lewis Dent, of California, to be envoy extraordinary and minister plenipotentiary of Chili, vice Judson Kilpatrick.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 13, 1869.

To the Senate of the United States:

I nominate John T. Nagle, of New York, to be secretary of legation at Chili, to fill a vacancy.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 13, 1869.

To the Senate of the United States:

I herewith lay before the Senate, for their action thereon, a mutual relinquishment of the agreement between the Ottawa and Chippewa Indians of Kansas, which agreement is appended to a treaty now before the Senate between the United States and the Swan Creek and Black River Chippewas and the Muncee or Christian Indians, concluded on the 1st of June, 1868.

A letter of the Secretary of the Interior, of the 11th instant, together with the papers therein referred to, are also herewith transmitted.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 13, 1869.

To the Senate of the United States:

I transmit for the consideration of the Senate, with a view to ratification, a convention between the United States of America and the United States of Colombia for facilitating and securing the construction of a ship-canal between the Atlantic and Pacific Oceans through the continental isthmus lying without the jurisdiction of the United States of Colombia, which instrument was signed at Bogota on the 14th instant.

ANDREW JOHNSON.

WASHINGTON, *February* 15, 1869.

The messages were read.

Ordered, That the nomination of Gustavus H. Scott be referred to the Committee on Naval Affairs.

Ordered, That the nomination of Charles E. Gale and Absalom A. Kyle be referred to the Committee on Public Lands.

Ordered, That the nomination of John T. Nagle and Lewis Dent be referred to the Committee on Foreign Relations.

The relinquishment of the agreement between the Ottawa and Chippawa Indians of Kansas, appended to the treaty between the United States and Swan Creek and Black River Chippewas and the Muncee or Christian Indians, concluded 1st of June, 1868, was read the first time.

On motion by Mr. Morrill, of Maine,

Ordered, That the said relinquishment be referred to the Committee on Indian Affairs, and printed in confidence for the use of the Senate.

The convention between the United States of America and the United States of Colombia, relating to the construction of a ship-canal between the Atlantic and Pacific Oceans, concluded at Bogota the 14th of January, 1869, was read the first time.

On motion by Mr. Sumner,

Ordered, That the said convention be referred to the Committee on Foreign Relations, and be printed in confidence for the use of the Senate.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 28th of January, the additional article to the convention between the United States and His Majesty the King of Italy for regulating the jurisdiction of consuls, concluded the 21st January, 1869, reported the same without amendment.

The additional article was read the second time, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Mr. Sumner submitted the following resolution for consideration:

Resolved (*two-thirds of the Senators present concurring*), That the Senate advise and consent to the ratification of the additional article to the convention between the United States and His Majesty the King of Italy for regulating the jurisdiction of consuls, concluded the 21st January, 1869.

The Senate proceeded, by unanimous consent, to consider the said resolution; and on the question to agree thereto,

It was unanimously determined in the affirmative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 28th January, the additional article to the convention for the surrender of criminals between the United States and His Majesty

the King of Italy, of the 23d March, 1868, concluded January 21, 1869, reported the same without amendment.

The said additional article was read the second time and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Mr. Sumner submitted the following resolution for consideration:

Resolved (*two-thirds of the Senators present concurring*), That the Senate advise and consent to the ratification of the additional article to the convention for the surrender of criminals between the United States and His Majesty the King of Italy, of the 23d of March, 1868, concluded January 21, 1869.

The Senate proceeded, by unanimous consent, to consider the said resolution; and on the question to agree thereto,

It was unanimously determined in the affirmative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 19th January, protocol for a convention between the United States and Great Britain regulating the citizenship of persons who emigrate to and from the two countries, reported the following resolution:

Whereas the President of the United States has transmitted to the Senate a protocol, signed at London on the 9th of October last, for regulating the citizenship of citizens of the United States who have emigrated or who may emigrate from the United States to the British dominions, and of British subjects who have emigrated or who may emigrate from the British dominions to the United States, and the President has asked the opinion of the Senate as to the expediency of concluding a convention based upon such protocol: Therefore,

Resolved, That the Senate, in response to the message of the President, advise and consent to the conclusion of a convention with Great Britain based on the protocol transmitted with the message.

Mr. Chandler, from the Committee on Commerce, to whom was referred, the 18th December, the nomination of James W. Marks, the 19th of January the nominations of Henry D. Hall, Daniel B. Hodgson, Edward S. Dean, Augustus W. Constable, Robert M. Clark, John Owen, and Thomas Mason, reported favorably thereon.

Mr. Grimes, from the Committee on Naval Affairs, to whom was referred, the 11th instant, the nomination of Andrew A. Harwood, and this day the nomination of Gustavis H. Scott, reported favorably thereon.

Mr. Conkling, from the Committee on the Revision of the Laws of the United States, to whom was referred, the 28th of January, the nomination of Simeon M. Johnson, reported the same with the recommendation that it lie on the table.

Mr. Harlan, from the Committee on Indian Affairs, to whom were recommitted, the 18th December last, the following-named treaties and conventions, reported the same with the recommendation that the Senate do not advise and consent to the ratification of the same:

Treaty between the United States and the Pottawatomes tribe of Indians, concluded at the agency in Kansas on the 3d of February, 1863;

Articles of agreement and convention, made and concluded at the city of Washington, D. C., 6th April 1863, between the United States and the Comanche, Kiowa, and Apache tribes of Indians;

Articles of agreement and convention, made at the city of Washington, D.C., the 18th of March, 1864, between the United States and the Shawnee Indians;

Treaty negotiated with the Shawnee Indians, dated March 1st, 1866, with a supplemental article dated March 14, 1866; and

Treaty of amity and friendship between the United States and the Uintah and Yampa or Grand River bands of Utah Indians.

The said treaties and conventions were severally read the second time, and considered as in Committee of the Whole; and no amendments being made, they were reported to the Senate; and

On the question, Will the Senate advise and consent to the ratification of said treaties and conventions?

It was determined in the negative.

So it was

Resolved (*two-thirds of the Senators present concurring*), That the Senate do not advise and consent to the ratification of said treaties and conventions.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Mr. Morrill, of Vermont, from the Committee on Education, to whom was referred, the 28th January, the nomination of Edward D. Neill, reported adversely thereon.

Mr. Thayer, from the Committee on Indian Affairs, to whom was referred, the 19th January, the treaty between the United States and the Nez Perce tribe of Indians, concluded at Washington D. C., August 13, 1868, and the 11th instant, the treaty between the United States and the different bands of the Sioux Indians, 29th April, 1868, reported the same with the recommendation that the Senate advise and consent to the ratification of the same.

The said treaties were severally read the second time, and considered as in Committee of the Whole; and no amendment being made, they were reported to the Senate; and

On the question, Will the Senate advise and consent to the ratification of said treaties?

It was determined unanimously in the affirmative.

So it was

Resolved (*two-thirds of the Senators present concurring*), That the Senate advise and consent to the ratification of said treaties.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Mr. Thayer, from the Committee on Indian Affairs, to whom was referred, the 11th instant, the treaty between the United States and the Shoshone (Eastern band) and Bannock tribes of Indians, made the 3d of July, 1868, at Fort Bridger, Utah Territory, reported the same without amendment and with the recommendation that the Senate advise and consent to the ratification of the same.

The said treaty was read the second time, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

On the question, Will the Senate advise and consent to the ratification of the said treaty.

It was determined in the affirmative, { Yeas 43
Nays 6

Those who voted in the affirmative are,

Messrs. Abbott, Buckalew, Cameron, Chandler, Conness, Corbett, Cragin, Doolittle, Drake, Ferry, Fessenden, Harlan, Harris, Hendricks, Kellogg, McCreery, McDonald, Morgan, Morrill of Maine, Morton, Nye, Osborn, Patterson of N. H., Patterson of Tenn., Pomeroy, Pool, Ramsey, Rice, Ross, Sawyer, Sherman, Sumner, Thayer, Tipton, Trumbull,

Van Winkle, Vickers, Wade, Warner, Welch, Willey, Williams, Wilson.

Those who voted in the negative are,

Messrs. Cole, Conkling, Edmunds, Frelinghuysen, Sprague. Stewart.

So it was

Resolved (*two-thirds of the Senators present concurring*), That the Senate advise and consent to the ratification of the treaty between the United States and the Shoshonee (Eastern bands) and Bannock tribe of Indians, made and concluded at Fort Bridger, Utah Territory, on the 3d July, 1868.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom were referred, the 18th December last, the nomination of Anthony J. Smith, the 19th January the nomination of James Hare, the 20th January the nominations of R. J. Evans, Thomas McFeely, Clara W. Drake, Robert Blair, and Charles S. McCoy, the 28 January the nominations of Orson Ames and Samuel Feland, and the 11th instant the nomination of John J. Wise, reported favorably thereon.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom were referred, the 19th January, the nominations of Jesse H. Harper and David W. Stormont, the 20th day of January the nominations of Wm. B. M. Brame, James M. Palmer, Fredrick Ball, Margaret E. McKellar, Alfred H. Yarrington, Austin W. Merick, Enos Hawley, J. G. Cummings, and Jesse Kimball, and the 28th of January the nominations of Lyman Leslie, John B. Peyton, and Mollie Carter, reported adversely thereon.

Mr. Conness, from the Committee on Post-Offices and Post-Roads, to whom was referred, the 19th January, the nomination of Harlan P. Welch, reported favorably thereon.

Mr. Wilson, from the Committee on Military Affairs, to whom were referred, the 14th of December last, the nominations of Hector Tyndale and the following-named persons for appointment by brevet in the Volunteer force: Warren Goodale and others to be captains by brevet; Wm. B. C. Durryee and others to be majors by brevet; Isaac F. Galoupe and others to be lieutenant-colonels by brevet, and H. Berdan and others to be brigadier generals by brevet; John Read to be first lieutenant by brevet; John W. Byron and others to be colonels by brevet; and the 19th of January the following-named persons for appointment by brevet in the Volunteer force: Hendric M. F. V. Stamp and others to be captains by brevet; Ranslure W. Clark and others to be major by brevet; Ranslure W. Clark and others to be lieutenant-colonels by by brevet; Elishan A. Hinks and others to be colonels by brevet; Charles A. Johnson and others to be brigadier-generals by brevet, and St. Clair Mullholland and James Guynn to be major-generals by brevet, reported favorably thereon.

On motion by Mr. Wilson,

The Senate proceeded, by unanimous consent, to consider the said nominations; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Buckalew submitted the following resolution for consideration; which was considered, by unanimous consent, and agreed to:

Resolved, That the President be requested (if in his judgment not incompatible with the public interest) to communicate to the Senate the

official correspondence of Mr. Buchanan during his services as minister at the court of St. Petersburg ending in the year 1835.

Mr. Warner presented a resolution of the Mississippi delegation, praying that the Senate will not confirm Alvin C. Gillem, colonel 24th United States Infantry, as brigadier-general in the Army of the United States; which was referred to the Committee on Military Affairs.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom were referred, the 18th December last, the papers relative to the suspension of Charles W. Evans, reported the following resolution for consideration:

Resolved, That the Senate advise and consent to the suspension from office of Charles W. Evans, deputy postmaster at Defiance, Ohio.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom were referred, the 18th December last, the papers relative to the suspension of John S. Forrest, deputy postmaster at Hanover, reported the following resolution for consideration:

Resolved, That the Senate advise and consent to the suspension from office of John S. Forrest, deputy postmaster at Hanover, York County, Pennsylvania.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom were referred, the 18th of December last, the papers relative to the suspension of R. W. Taliferro, reported the following resolution for consideration:

Resolved, That the Senate advise and consent to the suspension from office of R. W. Taliferro, deputy postmaster at New Orleans, in the State of Louisiana.

Mr. Ramsey, from the Committee on Post-Offices and Post Roads, to whom were referred, the 18th December last, the papers relative to the suspension of Presco Wright, reported the following resolution for consideration:

Resolved, That the Senate advise and consent to the suspension from office of Presco Wright, deputy postmaster at Springfield, Sangamon County, in the State of Ohio.

On motion by Mr. Grimes,

The Senate proceeded, by unanimous consent, to consider the nominations of Andrew A. Harwood and Gustavus H. Scott; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

On motion by Mr. Rice,

The Senate proceeded, by unanimous consent, to consider the nomination of James H. Huckleberry; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Abbott,

The Senate proceeded, by unanimous consent, to consider the nomination of Calvin J. Cowles; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Anthony,

The Senate proceeded, by unanimous consent, to consider the nominations of Henry D. Hall, Daniel B. Hodgson, Edward S. Dean, Augustus W. Constable, Robert M. Clark, John W. Owen, Thomas Mason, and Samuel Howard; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

On motion by Mr. Wilson,

The Senate proceeded, by unanimous consent, to consider the nominations of Levant W. Barnhart, William Russell, jr., Frank C. Morehead, and Luther M. Longshaw; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

THURSDAY, FEBRUARY 18, 1869.

The following messages were received from the President of the United States by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate William T. Smith, of Vermont, to be consul-general of the United States at Havana, vice Alvin Hawkins, resigned.

ANDREW JOHNSON.

WASHINGTON, *February* 18, 1869.

To the Senate of the United States:

I nominate Horatio Fox, of Maine, to be consul of the United States at Trinidad de Cuba, vice Fredrick F. Cavada, resigned.

ANDREW JOHNSON.

WASHINGTON, *February* 17, 1869.

To the Senate of the United States:

I nominate Edward W. Wynkoop, of Colorado, to be agent for the Indians in the Territory of New Mexico, vice Theodore H. Dodd, deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 16, 1869.

To the Senate of the United States:

I nominate William A. Fowler, of New York, to be pension agent at Brooklyn, New York, vice William V. Porter, resigned.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 16, 1869.

To the Senate of the United States:

I nominate the person herein named for appointment by brevet in the Volunteer force:

To be major-general by brevet.

Brevet Brigadier-General Samuel M. Bowman, late colonel of the Eighty-fourth Pennsylvania Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *February* 17, 1869.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be major-general by brevet.

Brevet Brigadier-General George A. H. Blake, colonel of the First Regiment United States Cavalry, for meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *February* 17, 1869.

To the Senate of the United States:

I nominate the person herein named for appointment by brevet in the Volunteer force:

To be major-general by brevet.

Brevet Brigadier-General Thomas W. Hyde, late colonel of the First Maine Volunteers, for gallant and meritorious services during the war, to date from April 2, 1865.

ANDREW JOHNSON.

WASHINGTON, *February* 17, 1869.

To the Senate of the United States:

I nominate, subject to examination, Passed Assistant Paymaster John H. Stevenson in the Navy, from the 17th February, 1869, vice Paymaster Wm. H. Anderson, resigned.

Assistant Paymaster H. F. B. Harris to be passed assistant paymaster in the Navy, from the 17th February, 1869, vice Passed Assistant Paymaster J. H. Stevenson, nominated for promotion.

ANDREW JOHNSON.

WASHINGTON CITY, *February* 17, 1869.

The messages were read.

Ordered, That the nomination of William T. Smith be referred to the Committee on Commerce.

Ordered, That the nomination of Edward W. Wynkoop be referred to the Committee on Indian Affairs.

Ordered, That the nomination of William A. Fowler be referred to the Committee on Pensions.

Ordered, That the nominations of Samuel M. Bowman, George A. H. Blake, and Thomas W. Hyde be referred to the Committee on Military Affairs.

Ordered, That the nominations of John H. Stevenson and H. T. B. Harris be referred to the Committee on Naval Affairs.

On motion by Mr. Fessenden,

The Senate proceeded, by unanimous consent, to consider the nomination of Horatio Fox; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Sherman,

The Senate proceeded, by unanimous consent, to consider the nomination of Isaac Gass; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Harlan.

The Senate proceeded, by unanimous consent, to consider the nomination of Alexander R. Banks; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 19th of January, a copy of a treaty between the United States and Great Britain, signed at London, January 14th, 1869, providing for the reference to an arbiter of the question concerning the water boundary between the United States and the British possessions in North America, reported the same with an amendment and with the recommendation that the Senate advise and consent to the ratification of the same.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 19th of January, a copy of a convention between the United States and Great Britain, signed at London January 14, 1869, providing for the adjustment of all outstanding claims of the citizens and subjects of the parties respectively, reported the same with the recommendation that the Senate do not advise and consent to the ratification of the same.

Mr. Sumner submitted additional papers relating to the treaty between the United States and Denmark for the cession of the islands of St. Thomas and St. John, which were ordered to be printed in confidence for the use of the Senate.

WEDNESDAY, MARCH 3, 1869.

The following messages were received from the President of the United States by Mr. Moore, his secretary:

To the Senate of the United States:

I nominate Henry C. Fisher and Henry D. Oler, of Pennsylvania, to be second lieutenants in the Marine Corps, to fill vacancies in that grade.

ANDREW JOHNSON.

WASHINGTON CITY, *February* 20, 1869.

To the Senate of the United States:

I nominate George W. Sommers to be deputy postmaster at Augusta, in the county of Richmond and State of Georgia, in place of Foster Blodgitt, removed.

ANDREW JOHNSON.

WASHINGTON CITY, *February* 20, 1869.

To the Senate of the United States:

I nominate Joseph R. Blackwell to be deputy postmaster at Litchfield, in the county of Montgomery and State of Illinois, in place of Louis D. Palmer, who has deceased.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 24, 1869.

To the Senate of the United States:

I nominate the person herein named for appointment by brevet in the Volunteer force:

To be first lieutenant by brevet.

Agustus T. Gurlitz, late second lieutenant of the Second Kentucky Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *February* 17, 1869.

To the Senate of the United States:

I nominate the person herein named for appointment by brevet in the Volunteer force:

To be captain by brevet.

Eugene L. Townsend, late first lieutenant of the Seventy-first New York Volunteers, for gallant conduct at the battle of Fredericksburg, Va., to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *February* 23, 1869.

To the Senate of the United States:

I nominate the person herein named for appointment by brevet in the Volunteer force:

To be captain by brevet.

Brevet First Lieutenant Agustus T. Gurlitz, late second lieutenant of the Second Kentucky Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *February* 17, 1869.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be majors by brevet.

Bertrand Rockwell, late captain of the Thirty-fourth Iowa Volunteers, for gallant and meritorious conduct in the capture of Fort Blakely, Ala., April 9, 1865, to date from April 9, 1865.

Francis E. Goodwin, late captain of the Twenty-fifth Massachusetts Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *February* 17, 1869.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be majors by brevet.

Henry S. Dow, late captain of the Third New Hampshire Volunteers, for gallant and meritorious services in the field during the war, to date from March 13, 1865.

Brevet Captain Eugene L. Townsend, late first lieutenant of the Seventy-first New York Volunteers, for conspicuous gallantry at the battle of Chancellorsville, Va., to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *February* 23, 1869.

To the Senate of the United States:

I nominate the person herein named for appointment by brevet in the Volunteer force:

To be lieutenant-colonel by brevet.

Joseph B. Whiting, late surgeon of the Thirty-third Wisconsin Volunteers, for faithful and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *February* 19, 1869.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be lieutenant-colonels by brevet.

Brevet Major Eugene L. Townsend, late first lieutenant of the Seventy-first New York Volunteers, for conspicuous gallantry at the battle of Chancellorsville, Va., to date from March 13, 1865.

Brevet Major Richard Dillon, late captain of the One hundred and fifteenth Pennsylvania Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *February* 23, 1869.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be colonels by brevet.

Daniel C. Rodman, late lieutenant-colonel of the Seventh Connecticut Volunteers, for distinguished gallantry at the siege of Pulaski, Ga., to date from March 13, 1865.

Brevet Lieutenant-Colonel Eugene L. Townsend, late first lieutenant of the Seventy-first New York Volunteers, for gallantry at the battle of Gettysburg, Pa., to date from March 13, 1865.

Brevet Lieutenant-Colonel Thomas P. Johnston, late captain and assistant quartermaster of Volunteers, for faithful and meritorious services during the war, to date from March 13, 1865.

Brevet Lieutenant-Colonel Richard Dillon, late captain of the One hundred and fifteenth Pennsylvania Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Frank T. Bennett, late lieutenant-colonel of the Fifty-fifth Pennsylvania Volunteers, for gallant and meritorious services at the battle of Falling Water, at Drury's Bluff, and for faithful and meritorious services during the war, to date from March 13, 1865.

James W. Britt, late lieutenant-colonel of the Fifty-seventh New York Volunteers, for meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *February* 23, 1869.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be brigadier-generals by brevet.

Brevet Colonel Daniel C. Rodman, late lieutenant-colonel of the Seventh Connecticut Volunteers, for conspicuous gallantry at the first assault on Fort Wagner, Morris Island, S. C., to date from March 13, 1865.

Brevet Colonel Eugene L. Townsend, late first lieutenant of the Seventy-first New York Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Colonel Richard Dillon, late captain of the One hundred and Fifteenth Pennsylvania Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Thomas Wilhelm, late colonel of the Second Pennsylvania Heavy Artillery, for gallant and meritorious services at the battle of the Wilderness and Spottsylvania Court-House, Va., to date from March 13, 1865.

Brevet Colonel James W. Britt, late lieutenant-colonel of the Fifty-seventh New York Volunteers, for meritorious services during the war, to date from March 13, 1865.

Milton Cogswell, late colonel of the Forty-second New York Volunteers, for gallant and meritorious services at the battle of Ball's Bluff, Va., to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *February* 23, 1869.

To the Senate of the United States:

I nominate the person herein named for appointment by brevet in the Volunteer force:

To be brigadier-general by brevet.

James L. Bates, late colonel of the Twelfth Massachusetts Volunteers, for gallantry and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *February* 17, 1869.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be major-generals by brevet.

Brevet Brigadier-General Edward B. Fowler, late colonel of the Eighty-fourth New York Volunteers, for gallant and meritorious services during the war, to date from March 13, 1865.

Brevet Brigadier-General Thomas Wilhelm, late colonel of the Second Pennsylvania Heavy Artillery, for gallant and meritorious services at the battle of North Anna River, Cool Arbor, and Petersburg, to date from March 13, 1865.

Brevet Brigadier General Milton Cogswell, late colonel of the Forty-second New York Volunteers, for gallant and meritorious services in defense of Washington, D. C., to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *February* 23, 1869.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be first lieutenant by brevet.

Second Lieutenant Eliphalet N. Chester, of the Fourth Regiment United States Artillery, for gallantry at the battles of South Mountain, Antietam, Chancellorsville, Fredericksburg, and Gettysburg, to date from June 17, 1867.

To be captain by brevet:

Brevet First Lieutenant Eliphalet N. Chester, second lieutenant in the Fourth Regiment United States Artillery, for gallantry at the battles at South Mountain, Antietam, Chancellorsville, Fredericksburg, and Gettysburg, to date from June 17, 1867.

ANDREW JOHNSON.

WASHINGTON, *February* 23, 1869.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be first lieutenant by brevet.

Second Lieutenant David H. McComas, of the Forty-fifth Regiment United States Infantry, for gallant and meritorious services at the battle of Peeble's Farm, Va., to date from March 7, 1867.

ANDREW JOHNSON.

WASHINGTON, *February* 23, 1869.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

Second Lieutenant Joseph M. Kennedy, of the Twenty-fifth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Second Lieutenant Bernard H. Herkness, of the Thirty-fifth Regiment United States Infantry, for gallantry in action with the enemy near Greencastle, Pa., July 5, 1863, to date from March 2. 1867.

Second Lieutenant Henry W. Torbitt, of the Twenty-ninth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 7, 1867.

ANDREW JOHNSON.

WASHINGTON, *February* 17, 1869.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be captains by breret.

Brevet First Lieutenant Joseph M. Kennedy, second lieutenant in the Twenty-fifth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet First Lieutenant Bernard H. Herkness, second lieutenant in the Thirty-fifth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet First Lieutenant Simon C. Vedder, second lieutenant in the Twenty-eighth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 7, 1867.

Brevet First Lieutenant Henry W. Torbett, second lieutenant in the Twenty-ninth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 7, 1867.

Francis W. Seeley, late captain in the Fourth Regiment United States Artillery, and for the engagement at Seven Pines and distinguished services at the siege of Yorktown, to date from June 25, 1862.

WASHINGTON, *February* 17, 1869. ANDREW JOHNSON.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be captain by brevet.

Brevet First Lieutenant David H. McComas, second lieutenant in the Forty-fifth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 7, 1867.

WASHINGTON, *February* 23, 1869. ANDREW JOHNSON.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be major by brevet.

Brevet Captain John W. French, second lieutenant in the Eighth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *February* 23, 1869.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be majors by brevet.

Brevet Captain Thomas J. Spencer, second lieutenant in the Tenth Regiment United States Cavalry, for gallant and meritorious services, during the war, to date from March 2, 1867.

Captain James M. Williams, of the Eighth Regiment United States Cavalry, for conspicuous gallantry displayed in engagements with Indians on the Verde, Arizona, April 16th and 17th, 1867, in Yuma Valley, Arizona, June 14, 1867, and near Music Mountains, Arizona, July 9, 1867, to date from July 9, 1867.

Francis W. Seeley, late captain in the Fourth Regiment United States Artillery, for gallant and meritorious conduct at the battle of Gettysburg, Pa., to date from July 1, 1863.

Captain Delos A. Ward of the Thirty-ninth Regiment United States Infantry, for gallant and meritorious services at the battle of Corinth, Miss., to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *February* 17, 1869.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be lieutenant-colonels by brevet.

Brevet Major Thomas Wilhelm, first lieutenant in the Eighth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Major John W. French, second lieutenant in the Eighth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *February* 23, 1869.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be lieutenant-colonels by brevet.

Brevet Major Robert H. Offley, captain in the First Regiment United States Infantry, for efficient and meritorious services in the recruitment of the Army, to date from October 31, 1866.

Brevet Major Delos A. Ward, captain in the Thirty-ninth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *February* 17, 1869.

To the Senate of the United States:

I nominate the officers herein named for promotion by brevet in the Army of the United States:

To be lieutenant-colonels by brevet.

Brevet Major Allan Rutherford, captain in the Forty-third Regiment of Infantry, for faithful services during the war, to date from March 2, 1867.

Brevet Major Robert Avery, first lieutenant in the Forty-fourth Regiment of Infantry, for meritorious services during the war, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 22, 1869.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be colonels by brevet.

Brevet Lieutenant-Colonel Henry R. Mizner, captain in the Thirty-sixth Regiment United States Infantry, for gallant and meritorious services at the battle of Jonesboro', Ga., to date from March 13, 1865.

Brevet Lieutenant Delos A. Ward, captain in the Thirty-ninth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *February* 17, 1869.

To the Senate of the United States:

I nominate the officers herein named for promotion by brevet in the Army of the United States:

To be colonels by brevet.

Brevet Lieutenant-Colonel Allan Rutherford, captain in the Forty-third Regiment of Infantry, for faithful services during the war, to date from March 2, 1867.

Brevet Lieutenant-Colonel Robert Avery, first lieutenant in the Forty-fourth Regiment of Infantry, for meritorious services during the war, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 22, 1869.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be colonels by brevet.

Lieutenant-Colonel John T. Sprague, of the Eleventh Regiment United States Infantry, for faithful services during the war, to date from March 13, 1865.

Brevet Lieutenant-Colonel Thomas Wilhelm, first lieutenant in the Eighth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Lieutenant-Colonel John W. French, second lieutenant in the Eighth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *February* 23, 1869.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be brigadier-generals by brevet.

Brevet Colonel John T. Sprague, lieutenant-colonel of the Eleventh Regiment United States Infantry, for faithful services during the war, to date from March 13, 1865.

Brevet Colonel Thomas Wilhelm, first lieutenant in the Eighth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

Brevet Colonel Milton Cogswell, major of the Eighth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *February* 23*d*, 1869.

To the Senate of the United States:

I nominate the officers herein named for promotion by brevet in the Army of the United States:

To be brigadier-generals by brevet.

Brevet Colonel Richard N. Bachelder, major and quartermaster United States Army, for efficiency in the discharge of his duties as chief quartermaster of the Army of the Potomac, to date from April 9, 1865.

Brevet Colonel Allan Rutherford, captain in the Forty-third Regiment of Infantry, for faithful services during the war, to date from March 2, 1867.

Brevet Colonel Robert Avery, first lieutenent in the Forty-fourth Regiment of Infantry, for meritorious services during the war, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *February* 22, 1869.

To the Senate of the United States:

I nominate the officer herein named for promotion by brevet in the Army of the United States.

To be major-general by brevet.

Brevet Brigadier-General Robert Avery, first lieutenant in the Forty-fourth Regiment of Infantry, for meritorious services during the war, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 22, 1869.

To the Senate of the United States:

I desire the consent of the Senate to the correction of clerical errors which occurred in nominating for their confirmation, December 3, 1867, the officers herein named:

The services of Cyrus A. Earnest, confirmed February 14, 1868, to be captain by brevet, should read "for gallant and meritorious services during the Atlanta campaign," instead of "for gallant and meritorious services at the battle of Atlanta, Ga."

The date of rank of Levi F. Burnett, confirmed February 14, 1868, to be first lieutenant by brevet, and to be captain by brevet, should read "May 25, 1867," instead of "March 2, 1867."

ANDREW JOHNSON.

WASHINGTON, *February* 19, 1869.

To the Senate of the United States:

I nominate the person herein named for appointment by brevet in the Volunteer force:

To be colonel by brevet.

Brevet Lieutenant-Colonel John W. Beazell, late additional paymaster of Volunteers, for faithful and meritorious services during the war, to date from August 23, 1865.

To be brigadier-general by brevet.

Brevet Colonel John W. Beazell, late additional paymaster of Volunteers, for faithful and meritorious services during the war, to date from August 23, 1865.

ANDREW JOHNSON.

WASHINGTON, *February* 24, 1869.

To the Senate of the United States:

I nominate the officers herein named for promotion in the Army of the United States:

Corps of Engineers.

Second Lieutenant Joseph E. Griffith to be first lieutenant, February 15, 1869, vice Petrikin, resigned.

Brevet Second Lieutenant Edgar W. Bass to be second lieutenant, February 15, 1869, vice Griffith, promoted.

Ordnance Department.

First Lieutenant John R. McGinness to be captain, February 10, 1869, vice Smyser, resigned.

Second Lieutenant Almon L. Varney to be first lieutenant, February 10, 1869, vice McGinness, promoted.

Second Regiment of Cavalry.

First Lieutenant Alfred E. Bates to be captain, January 26, 1869, vice Mizner, promoted to the Fourth Cavalry.

Third Regiment of Cavalry.

First Lieutenant Samuel Hildebnrn to be captain, Jannary 3, 1869, vice Kemble, deceased.

Second Lieutenant Leonard Wightman to be first lieutenant, January 3, 1869, vice Hilderburn, promoted.

Fourth Regiment of Cavalry.

Captain John K. Mizner, of the Second Cavalry, to be major, January 26, 1869, vice Cram resigned.

Second Regiment of Artillery.

Second Lieutenant Charles E. Kilbourne to be first lieutenant, December 3, 1868, vice Kinney, deceased.

First Regiment of Infantry.

First Lieutenant William N. Tisdall to be captain, January 13, 1869, vice Marston, deceased.

Eighth Regiment of Infantry.

First Lieutenant Henry E. Hazen to be captain, Febrnary 18, 1869, vice Noble, retired.

Second Lieutenant Stephen O'Connor to be first lieutenant, Jannary 4, 1869, vice Akin, dismissed.

Second Lieutenant Eugene B. Gibbs to be first lieutenant, February 18, 1869, vice Hazen, promoted.

Ninth Regiment of Infantry.

Second Lieutenant Charles P. Eagan to be first lieutenant, January 2, 1869, vice Trout, dismissed.

Thirteenth Regiment of Infantry.

Second Lieutenant Washington J. Sanborn to be first lieutenant, February 10, 1869, vice Green, resigned.

Fifteenth Regiment of Infantry.

Second Lieutenant Charles L. Hudson to be first lieutenant, January 14, 1869, vice Johnson, resigned.

Eighteenth Regiment of Infantry.

Second Lieutenant Will H. Dougherty to be first lieutenant, January 2, 1869, vice Luther, resigned.

Twentieth Regiment of Infantry.

Second Lieutenant Wharton White to be first lieutenant, February 1, 1869, vice Carney, resigned.

Twenty-second Regiment of Infantry.

Second Lieutenant John P. Walker to be first lieutenant, January 5, 1869, vice Critchlow, resigned.

Twenty-third Regiment of Infantry.

Second Lieutenant William F. Houston to be first lieutenant, January 17, 1869, vice Barker, deceased.

Twenty-ninth Regiment of Infantry.

First Lieutenant Hehry Wagner to be captain, January 27, 1869, vice Hambright, promoted to Thirty-second Infantry.

Thirty-second Regiment of Infantry.

Captain Henry A. Hambright, of the Twenty-ninth Infantry, to be major, January 27, 1869, vice Chapin, retired.

Thirty-fifth Regiment of Infantry.

First Lieutenant Charles P. Smith to be captain, January 30, 1869, vice Holcomb, retired.

Thirty-ninth Regiment of Infantry.

Second Lieutenant Jonathan B. Hanson to be first lieutenant, January 1, 1869, vice Lee, the regimental adjutant.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 23, 1869.

To the Senate of the United States:

I nominate the officers herein named for promotion in the Army of the United States:

TO BE COLONELS.

Tenth Regiment of Infantry.

Lieutenant-Colonel Henry B. Clitz, of the Sixth Infantry, to be colonel, February 22, 1869, vice Alexander, retired.

Sixteenth Regiment of Infantry.

Lieutenant Samuel W. Crawford, of the Second Infantry, to be colonel, February 22, 1869, vice Sibley, retired.

Seventeenth Regiment of Infantry.

Lieutenant Colonel William H. Wood, of the First Infantry, to be colonel, February 22, 1869, vice Heintzelman, retired.

TO BE LIEUTENANT-COLONELS.

First Regiment of Infantry.

Major Thomas H. Neill, of the Twentieth Infantry, to be lieutenant-colonel, February 22, 1869, vice Wood, promoted to the Seventeenth Infantry.

Second Regiment of Infantry.

Major Thomas C. English, of the Fifth Infantry, to be lieutenant-colonel, February 22, 1869, vice Crawford, promoted to the Sixteenth Infantry.

Sixth Regiment of Infantry.

Major Daniel Huston, jr., of the Twenty-third Infantry, to be lieutenant-colonel, February 22, 1869, vice Clitz, promoted to the Tenth Infantry.

TO BE MAJORS.

Fifth Regiment of Infantry.

Captain Henry R. Rathbone, of the Twelfth Infantry, to be major, February 22, 1869, vice English, promoted to the Second Infantry.

Twentieth Regiment.

Captain Henry R. Mizner, of the Thirty-sixth Infantry, to be major, February 22, 1869, vice Neill, promoted to the First Infantry.

Twenty-third Regiment of Infantry.

Captain Alexander J. Dallas, of the Thirtieth Infantry, to be major, February 22, 1869, vice Huston, promoted to the Sixth Infantry.

TO BE CAPTAINS.

Twelfth Regiment of Infantry.

First Lieutenant James E. Putnam to be captain, February 22, 1869, vice Rathbone, promoted to the Fifth Infantry.

Thirtieth Regiment of Infantry.

First Lieutenant Edgar C. Bowen to be captain, February 22, 1869, vice Dallas, promoted to the Twenty-third Infantry.

Thirty-sixth Regiment of Infantry.

First Lieutenant Henry G. Litchfield to be captain, February 22, 1869, vice Mizner, promoted to the Twentieth Infantry.

TO BE FIRST LIEUTENANTS.

Second Lieutenant Will N. Coulter to be first lieutenant, February 22, 1869, vice Putnam, promoted.

Thirtieth Regiment of Infantry.

Second Lieutenant Peter A. Lautz to be first lieutenant, February 22, 1869, vice Bowen, promoted.

Thirty-sixth Regiment of Infantry.

Second Lieutenant Louis M. Hughes to be first lieutenant, February 22, 1869, vice Litchfield, promoted.

ANDREW JOHNSON.

WASHINGTON, *February* 22, 1869.

To the Senate of the United States:

I nominate the officers herein named for appointment in the Army of the United States:

Adjutant-General's Department.

Captain William G. Mitchell, Thirty-seventh Infantry, to be assistant adjutant-general with the rank of major, February 22, 1869, vice Williams, promoted.

ANDREW JOHNSON.

WASHINGTON, *February* 22, 1869.

To the Senate of the United States:

I nominate the officers herein named for promotion in the Army of the United States:

Adjutant-General's Department.

Lieutenant-Colonel Richard C. Drum, assistant adjutant-general, to be assistant adjutant-general with the rank of colonel, February 22, 1869, vice Townsend, appointed Adjutant-General.

Major Robert Williams, assistant adjutant-general, to be assistant adjutant-general with the rank of lieutenant-colonel, February 22, 1869, vice Drum, promoted.

ANDREW JOHNSON.

WASHINGTON, *February* 22, 1869.

To the Senate of the United States:

I nominate the officer herein named for appointment in the Army of the United States:

Adjutant-General's Department.

Colonel Edward D. Townsend, assistant adjutant-general, to be Adjutant-General with the rank of brigadier-general, February 22, 1869, vice Thomas, retired.

ANDREW JOHNSON.

WASHINGTON, *February* 22, 1869.

To the Senate of the United States:

I nominate the person herein named for appointment in the Army of the United States:

Pay Department.

Virgil T. Egglestou, of New York, to be paymaster, February 22, 1869, vice Alvord, promoted.

ANDREW JOHNSON.

WASHINGTON, *February* 22, 1869.

To the Senate of the United States:

I nominate the officers herein named for promotion in the Army of United States:

Pay Department.

Lieutenant-Colonel Hiram Leonard, deputy paymaster-general to be assistant paymaster-general with the rank of colonel, February 22, 1869, vice Brown, appointed Paymaster-General.

Major Benjamin Alvord, paymaster, to be deputy paymaster-general with the rank of lieutenant-colonel, February 22, 1869, vice Leonard, promoted.

ANDREW JOHNSON.

WASHINGTON, *February* 22, 1869.

To the Senate of the United States:

I nominate the officer herein named for appointment in the Army of the United States:

Pay Department.

Colonel Nathan W. Brown, assistant paymaster-general, to be Paymaster-General with the rank of brigadier-general, February 22, 1869, vice Brice, retired.

ANDREW JOHNSON.

To the Senate of the United States:

I nominate the following-named third assistant engineers to be second assistant engineers in the Navy, viz:

Charles H. Manning, James A. Deaver, S. C. McLanahan, Harrison Spear, N. H. Lamden, F. McAshton, H. H. Kimball, J. K. Stevenson, J. J. Ryan, J. H. Diamond, T. W. Fitch, F. C. Burchard, J. A. Koiser, G. C. Neilson, Harrie Webster, Wm. G. McEwen, C. D. Bray, George S. Gates, H. C. Main, F. N. Trevor, Theron S. Keel, H. N. Stevenson, F. J. Symmes, J. Q. A. Ford, C. F. Purdie, J. S. Ogden, Charles W. Roe, G. H. Kearney, Jones Godfrey, Wm. S. Moore, C. D. Foss, and J. B. Peck.

ANDREW JOHNSON.

WASHINGTON CITY, *February* 23, 1869.

To the Senate of the United States:

I nominate J. C. Stover, of Minnesota, to be register of the land office at St. Peter, Minnesota, vice Henry A. Swift, deceased.

ANDREW JOHNSON.

WASHINGTON, *March* 1, 1869.

To the Senate of the United States:

I nominate B. B. Hook, of Pennsylvania, to be consul of the United States at Barbadoes, vice Joseph G. Morton, resigned.

ANDREW JOHNSON.

WASHINGTON, *March* 1, 1869.

To the Senate of the United States:

I nominate, subject to examination, Passed Assistant Paymaster Thomas L. Tullock, jr., to be a paymaster in the Navy, from the 26th February, 1869, vice Paymaster Wm. R. Winslow, deceased, and

Assistant Paymaster Henry C. Machette to be a passed assistant paymaster in the Navy, from the 26th February, 1869, vice Passed Assistant Paymaster Thomas L. Tullock, jr., nominated for promotion.

ANDREW JOHNSON.

WASHINGTON CITY, *February* 27, 1869.

To the Senate of the United States:

I nominate the person herein named for appointment in the Army of the United States, he having passed the examination required by law:

John W. Hoffman, of Kentucky, to be second lieutenant in the Third Regiment United States Cavalry, February 25, 1869, vice Ayers, promoted.

ANDREW JOHNSON.

WASHINGTON, *February* 27, 1869.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be captain by brevet.

First Lieutenant James K. Warden, of the Forty-fifth Regiment United States Infantry, for gallant and meritorious services at the advance on Port Hudson, in April, 1863, to date from March 2, 1867.

To be major by brevet.

Brevet Captain James K. Warden, first lieutenant in the Forty-fifth Regiment United States Infantry, for gallant and meritorious services during the war, to date from March 2, 1867.

ANDREW JOHNSON.

WASHINGTON, *February* 27, 1869.

To the Senate of the United States:

I nominate the officer herein named for appointment by brevet in the Army of the United States:

To be lieutenant-colonel by brevet.

Brevet Major Lewis Thompson, captain in the Second Regiment United States Cavalry, for gallant and meritorious services during the war, to date from September 25, 1865.

To be colonel by brevet.

Brevet Colonel Lewis Thompson, captain in the Second Regiment of the United States Cavalry, for gallant and meritorions services during the war, to date from September 25, 1865.

ANDREW JOHNSON.

WASHINGTON, *February* 27, 1869.

To the Senate of the United States:

I nominate the person herein named for appointment by brevet in the Volunteer force.

To be lieutenant-colonel by brevet.

Hugo Hillebrandt, late major of the Thirty-ninth New York Volunteers, for gallant services at the battle of Bull Run, Va., July 21, 1861, to date from March 13, 1865.

To be colonel by brevet.

Brevet Lieutenant Colonel Hugo Hillebrandt, late major of the Thirty-ninth New York Volunteers, for gallant services at the battles of Cross Keys, June, 1862, and at the battle of Harper's Ferry, September, 1862, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *March* 1, 1869.

To the Senate of the United States:

I nominate Commodore Levi M. Powell, of the retired list, to be a rear-admiral in the Navy on the retired list.

ANDREW JOHNSON.

WASHINGTON CITY, *March* 3, 1869.

To the Senate of the United States:

I nominate George A. Tuttle to be deputy postmaster at Rutland, in the county of Rutland and State of Vermont, in place of Martin G. Everts, removed

ANDREW JOHNSON.

WASHINGTON, D. C., *March* 3, 1869.

To the Senate of the United States:

I nominate Frederick A. Wilson to be collector of customs for the district of Puget Sound, Washington Territory, vice Fredrick A. Wilson, whose commission expires this date.

ANDREW JOHNSON.

WASHINGTON, D. C., *March* 3, 1869.

To the Senate of the United States:

I nominate the persons herein named for appointment in the Army of the United States, they having passed the examination required by law:

George L. Rousseau, of Kentucky, to be second lieutenant in the Twentieth Regiment United States Infantry, February 25, 1869, vice Viall, promoted.

John I. Abercombie, jr., late first lieutenant of the One hundred and twenty-seventh New York Volunteers, to be second lieutenant in the Second Regiment United States Cavalry, February 27, 1869, vice Hamilton, promoted.

ANDREW JOHNSON.

WASHINGTON, *March* 2, 1869.

To the Senate of the United States:

I nominate the officers herein named for appointment by brevet in the Army of the United States:

To be first lieutenant by brevet.

Second Lieutenant Paul Harwood, of the Twenty-seventh Regiment United States Infantry, for meritorious services during the war, to date from March 7, 1867.

To be captain by brevet.

Brevet First Lieutenant Paul Harwood, second lieutenant in the Twenty seventh Regiment United States Infantry, for meritorious services during the war, to date from March 7, 1867.

To be major by brevet.

Brevet Captain Paul Harwood, second lieutenant in the Twenty-seventh Regiment United States Infantry, for meritorious services during the war, to date from March 7, 1867.

ANDREW JOHNSON.

WASHINGTON, *March* 2, 1869.

To the Senate of the United States:

I nominate the persons herein named for appointment by brevet in the Volunteer force:

To be colonel by brevet.

John T. Deweese, late lieutenant-colonel in the Fourth Indiana Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

To be brigadier-general by brevet.

Brevet Colonel John T. Deweese, late lieutenant-colonel of the Fourth Indiana Cavalry, for gallant and meritorious services during the war, to date from March 13, 1865.

ANDREW JOHNSON.

WASHINGTON, *March* 2, 1869.

To the Senate of the United States:

I transmit to the Senate, for its constitutional action, a treaty concluded on the 13th instant between the United States and the Otoe and Missouria tribe of Indians, together with the accompanying papers.

ANDREW JOHNSON.

WASHINGTON, D. C., *February* 18, 1869.

To the Senate of the United States:

I herewith lay before the Senate, for its constitutional action thereon, a treaty concluded on the 11th instant in the city of Washington between the United States and the Sac and Fox Indians of the Missouri and the Iowa tribe of Indians; a letter of the Secretary of the Interior of the 16th instant, together with the letters therein referred to, accompany the treaty. For reasons stated in the accompanying communications, I request to withdraw from the Senate a treaty with the Sac and Fox Indians of the Missouri concluded February 19, 1867, now pending before that body.

ANDREW JOHNSON.

EXECUTIVE MANSION, *February* 17, 1869.

To the Senate of the United States:

I herewith present for the consideration of the Senate, in connection with the treaty with the Brulé and other bands of Sioux Indians now pending before that body, a communication from the Secretary of the Interior dated the 16th instant, and accompanying letters from the Commissioner of Indian Affairs and P. H. Conger, United States Indian agent for the Yankton Sioux, requesting that the benefits of said treaty may be extended to the Yankton Sioux and all the bands and individuals of the Dakota Sioux.

ANDREW JOHNSON.

EXECUTIVE MANSION, *February* 17, 1869.

The messages were read.

Ordered, That the nominations of Henry C. Fisher, Charles H. Manning and others, Henry D. Oler, Thomas L. Tullock, jr., and Henry C. Machett and Levi M. Powell be referred to the Committee on Naval Affairs.

Ordered, That the nominations of George W. Summers, Joseph R. Blackwell, and George A. Tuttle be referred to the Committee on Post-Offices and Post-Roads.

Order ed, That the nominations of Augustus T. Curlitz to be first lieutenant by brevet in the Volunteer force; Eugene L. Townsend and Augustus T. Curlitz to be captains by brevet in the Volunteer force; Bertrand Rockwell and Francis E. Goodwin, Henry S. Dow, and Eugene L. Townsend to be majors by brevet in the Volunteer force; J. B. Whiting, Eugene L. Townsend, and Richard Dillon to be lieutenant-colonels by brevet in the Volunteer force; Daniel C. Rodman and others to be colonels by brevet in the Volunteer force; Daniel C. Rodman and others to be brigadier-generals by brevet in the Volunteer force; James L. Bates, Edward B. Fowler and others, Eliphalet N. Chester, David H. McComas to be first lieutenants in the United States Army; Joseph M. Kennedy and others to be first lieutenants by brevet in the United States Army; Joseph M. Kennedy and others to be captains by brevet in the United States Army; Daniel C. McComas to be captain by brevet in the United States Army; John W. French, Thomas S. Spencer and others, Thomas Wilhelm and John W. French, Robert H. Offey and Delos A. Ward, Allan Rutherford, and Robert Avery to be lieutenant-colonels by brevet in the United States Army; Henry R. Mizner, Delos A. Ward, Allan Rutherford, and Robert Avery to be colonels by brevet in the United States Army; John T. Sprague and others to be colonels by brevet in the United States Army; John T. Sprague and others to be brigadier-generals by brevet in the United States Army; Richard N. Batchelder and others, Robert Avery to be major-generals in the United States Army by brevet; John W. Beazell, Joseph E. Griffith and others, Israel C. Woodruff and others. Charles McDougall and others, Morris S. Miller and others, Henry B. Clitz and others, William G. Mitchell, Richard C. Drum and Robert Williams, Edward D. Townsend, Virgil S. Eggleston, Hiram Leonard, and Benjamin Atwood, Nathaniel W. Brown, John W. Hoffman, James K. Warden, Lewis Thompson, Hugo Hillebrant, George L. Rousseau, and John I. Abercombie, jr., Paul Harwood, and John T. Deweese, and the message requesting the consent of the Senate to the correction of certain clerical errors which occurred in nominating for their confirmation December 3, 1867, the officers therein named, be referred to the Committee on Military Affairs and the Militia.

Ordered, That the nominations of I. C. Stoever, B. B. Hoock, and Fredrick A. Wilson be referred to the Committee on Commerce.

The treaty between the United States and the Otoe and Missouri tribe of Indians, concluded the 13th February, 1869, was read the first time.

On motion by Mr. Ross,

Ordered, That the said treaty, together with the message and accompanying documents, be referred to the Committee on Indian Affairs and printed in confidence for the use of the Senate.

The treaty between the United States and the Sac and Fox of Missouri. and the Iowa tribes of Indians, concluded the 11th February, 1869, was read the first time.

On motion by Mr. Ross,

Ordered, That the said treaty, together with the message and accompanying documents, be referred to the Committee on Indian Affairs and printed in confidence for the use of the Senate.

Ordered, That the message of the President of the United States, together with the accompanying communication from the Secretary of the Interior, and letters from the Commissioner of Indian Affairs and P. H. Conger, United States Indian agent, requesting that the benefits of the treaty between the Brulé and other bands of Sioux Indians may be extended to the Yankton and Dakota Sioux Indians, be referred to the Committee on Indian Affairs and printed in confidence for the use of the Senate.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 16th February, the convention between the United States of America and the United States of Colombia relating to the construction of a ship-canal between the Atlantic and Pacific Oceans, concluded at Bogota the 14th of January, 1869, reported the same with the recommendation that it be ratified.

Mr. Sumner, from the Committee on Foreign Relations, to whom was referred, the 19th of January, the convention between the United States of America and Peru providing for a mixed commission for the adjustment of claims of citizens of the two countries, reported the same with the recommendation that it be ratified.

Mr. Corbett, from the Committee on Commerce, to whom was referred, the 11th February, the nomination of Thomas S. Wilson, reported favorably thereon.

Mr. Frelinghuysen, from the Committee on Naval Affairs, to whom was referred, the 19th January, the nomination of Albert O'Brien, reported favorably thereon.

Whereupon

Resolved, That the Senate advise and consent to the appointment of Albert O'Brien, agreeably to the nomination.

Mr. Morgan, from the Committee on Finance, to whom was referred, the 18th December last, the nomination of Samuel T. Maddox, and; the 11th February, the nomination of W. D. Spaulding, reported favorably thereon.

Mr. Morgan, from the Committee on Finance, to whom was referred, the 18th December last, the nomination of Archibald M. Green, reported favorably thereon.

On motion by Mr. Conkling,

The Senate proceeded, by unanimous consent, to consider the said nomination; and

Resolved, That the Senate advise and consent to the appointment of Archibald M. Green, agreeably to the nomination.

The Senate resumed the consideration of the nomination of Henry A. Smythe; and

The question being, Will the Senate advise and consent to the appointment of Henry A. Smythe?

After debate,

On motion by Mr. Sumner,

Ordered, That the said nomination lie on the table.

The Senate resumed the consideration of the nomination of Alexander Cummings; and

The question being, Will the Senate advise and consent to the appointment of Alexander Cummings?

On motion by Mr. Sherman,

Ordered, That the said nomination lie on the table.

The Senate proceeded to consider the nominations of Moore N. Falls, Walter H. Smallwood, Orton Hackett, Albert G. Ryan, W. O. Lofland, F. C. Humphreys, Martin McGinnis, G. Gordon Adam, James Davis, Adolph Bonchard, Joseph S. C. Rowland, José Mannel Gallegos, Thomas B. Wade, Wm. J. Cullen, Rockey Earhart, Wm. H. Avery, George J. Stubble, Thomas N. Stillwell, David H. Abell, Wm. H. Tiffany, Andrew Van Dyck, Otis H. Russell, John Savage, Robert C. Bouchard, Allen C. Gillem, Wm. H. Wisner, Benjamin F. James, M. W. Reynolds, R. H. Hunt, W. W. Montgomery, H L Stephens, A. Sidney Russell, Simeon M. Johnson, Edward D. Neill, Anthony I. Smith, Jesse H. Harper, David W. Stormont, R. J. Eavans, Wm. B. M. Brame, James L. Palmer, Thomas McFeely, Frederick Ball, Margaret E. McKellar, Robert Blair, Alfred H. Yarrington, Charles S. McCoy, Austin M. Merrick, J. G. Cummings, Enos Hawley, Orson Ames, Mollie Carter, Samuel Feland, John B. Peyton, Jesse Kimball, and Lyman Leslie; and

Resolved, That the said nominations lie on the table.

The Senate proceeded to consider the nominations of Joseph Ralston, Peter P. Bailey, John P. O'Neill, George H. Penfield, Arthur D. Markley, Converse W. C. Rowell, Bradford T. Simmons, Henry Boyd, Chauncy Harris. Wm. G. Farewell, Franklin K. Hartzell, Philip C. Davis, and others for promotion in the Army of the United States; George W. Wilkinson, Frederick A. Dockray, George H. Pierson, Robert Holmes, Nathaniel K. Sawyer, James F. Armstrong, Samuel C. Mills, John E. Detrich, Harlan P. Welch, James Hare, John J. Wise, John T. Smith, Clura W. Drak; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate proceeded to consider the following resolution, reported the 16th February by Mr. Ramsey, from the Committee on Post-Offices and Post-Roads:

Resolved, That the Senate advise and consent to the suspension from office of Charles W. Evans, deputy postmaster at Defiance, Defiance County, Ohio; and on the question to agree thereto,

It was determined in the affirmative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

The Senate proceeded to consider the following resolution, reported the 16th February by Mr. Ramsey, from the Committee on Post-Offices and Post-Roads:

Resolved, That the Senate advise and consent to the suspension from office of John S. Forrest. deputy postmaster at Hanover, York County, Pennsylvania; and on the question to agree thereto,

It was determined unanimously in the affirmative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

The Senate proceeded to consider the following resolution, reported the 16th of February by Mr. Ramsey, from the Committee on Post-Offices and Post Roads:

Resolved, That the Senate advise and consent to the suspension from office of R. W. Taliaferro, deputy postmaster at New Orleans, Orleans County, Louisiana; and on the question to agree thereto,

It was determined in the affirmative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

The Senate proceeded to consider the following resolution, reported the 16th February by Mr. Ramsey, from the Committee on Post-Offices and Post-Roads:

Resolved, That the Senate advise and consent to the suspension from office of Presco Wright, deputy postmaster at Springfield, Sangamon County, Illinois; and on the question to agree thereto,

It was determined in the affirmative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom was recommitted, the 18th January, the nomination of James A. Suydam, and to whom were referred, the 28th January, the nominations of John A. Lafferty, Lyman Leslie, and Anthony Steinberger, and this day the nominations of George W. Summers and George A. Tuttle, reported adversely thereon.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom were referred, the 28th of January, the nomination of Charles W. Champlain, James Johnson, Thomas C. Allen, and Elias W. Merill, reported favorably thereon.

Mr. Ramsey, from the Committee on Post-Offices and Post-Roads, to whom were referred, the 19th of January, the nomination of John L. Jones, the 28th of January the nominations of Wm. Heffner, John S. Berkshier, George M. Yard, William F. Keeler, John B. Tyre, Wm. W. Worthington, and A. H. Barnes, the 11th February the nomination of John C. Martin, and this day the nomination of Joseph R. Blackwell, reported the same with the recommendation that they lie on the table.

Mr. Conness submitted a motion that the Senate reconsider its resolution of this day advising and consenting to the appointment of James F. Armstrong.

The Senate proceeded, by unanimous consent, to consider the said resolution; and on the question to agree thereto,

It was determined in the affirmative.

The question recurring, Will the Senate advise and consent to the appointment of James F. Armstrong?

On motion by Mr. Conness,

Ordered, That the said nomination lie on the table.

Mr. Pomeroy, from the Committee on Public Lands, to whom was referred this day the nomination of J. S. Stoever, reported favorably thereon.

Mr. Wilson, from the Committee on Military Affairs and the Militia, to whom were referred, the 14th December last, the nominations of Peter J. A. Cleary, Colon Angur, George E. Judd, Washington L. Ledgerwood, Samuel Walker, George E. Sage, Thomas Garvey, Charles E. Slade, Patrick Killeher, Otho W. Budd, Albert J. Garrett, Thomas E. Merritt, and others to be first lieutenants by brevet in the United States Army; Robert A. Torrey and others to be captains by brevet in the United States Army; Robert A. Torrey and others to be majors by brevet in the United States Army; Joseph G. Crane and others to be lieutenant-colonels by brevet in the United States Army, and Levi C. Bootes and others to be brigadier-generals by brevet in the United States Army; the 7th of January the nomination of Frazier A. Boutelle; the 19th January the nominations of Wm. C. Rawolle and others to be 1st lieutenant by brevet in the United States Army; William C. Rawolle and others to be captains by brevet in the United States Army; Arthur Morris and others to be majors by brevet in the United States Army; Samuel McKeever, Daniel W. Burke, John L. Graham, Charles

E. Campbell, Francis Fessenden, James Biddle, and George A. Kensel to be colonels by brevet in the United States Army; James Biddle and others to be brigadier-generals by brevet in the United States Army; Thomas H. Ruger, Thomas H. Neill, and Horace Brooks; the 28th January the nominations of James Riley, Michael Moore, Hayden De Lancy, Henry J. Rilley, Henry H. Abell, James Stewart, Carroll H. Potter, James F. Randlett, and others to be lieutenant-colonels by brevet in the United States Army; Moses B. Walker and others to be colonels by brevet in the United States Army; James F. Randlett and others to be majors by brevet in the United States Army; Franklin F. Flint, De Lancy Floyd Jones, Henry Morrow, Edward L. Anderson, to be majors by brevet in the Volunteer force; Calvin Goddard and Edward L. Anderson to be lieutenant-colonels by brevet in the Volunteer force; Henry A. Smalley, Isaac R. Hawkins, and John Scott; the 11th of February the nominations of Augustus C. Paul, Wm. H. Hick, to be first lieutenants by brevet in the United States Army; Wm. H. Hick to be captain by brevet in the United States Army; Clarance E. Bennett to be lieutenant-colonel by brevet in the United States Army; Clarance E. Bennett to be colonel by brevet in the United States Army; Augustus G. Tassin, David Taylor, and Frank Bridgman; the 18th February the nominations of Thomas W. Hyde, Samuel M. Bowman and George A. H. Blake, and this day the nomination of Augustus T. Gurlitz to be 1st lieutenant by brevet in the Volunteer force; Eugene L. Townsend to be captain by brevet in the Volunteer force; Augustus T. Gurlitz to be captain by brevet in the Volunteer force; Bertrand Rockwell, Francis E. Goodwin, Henry S. Dow, and Eugene L. Townsend to be majors by brevet in the Volunteer force; Eugene L. Townsend and Richard Dillon to be colonels by brevet in the Volunteer force; John B. Whiting, Daniel C. Rodman, and others to be colonels by brevet in the Volunteer force; Daniel C. Rodman and others to be brigadier-generals by brevet in the Volunteer force; James L Bates, Edward B. Fowler, and others to be major-generals by brevet in the Volunteer force; Eliphalet N. Chester, David H. McComas, Joseph M. Kennedy, and others, to be first lieutenants by brevet in the United States Army; Joseph M. Kennedy and others to be captains by brevet in the United States Army; David H. McComas to be captain by brevet in the United States Army; John W. French, Thomas J. Spencer, and others to be majors by brevet in the United States Army; Thomas Wilhelm and John W. French to be lieutenant-colonels by brevet in the Volunteer force; Robert H. Offley, Delos A. Ward, Henry R. Mizner, to be colonels by brevet in the United States Army; John T. Sprague and others to be colonels by brevet in the United States Army; John T. Sprague and others to be brigadier-generals by brevet in the United States Army; Paul Harwood and John T. Deweese, reported favorably thereon.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Wilson, from the Committee on Military Affairs and the Militia, to whom were referred this day the nominations of Richard C. Drum, Robert Williams, and Edward D. Townsend, reported the same without recommendation.

Mr. Abbott, from the Committee on Military Affairs and the Militia, to whom were referred this day the nominations of Allan Rutherford and Robert Avery to be lieutenant-colonels and colonels by brevet in the United States Army; Richard N. Batchelder, Allan Rutherford, and Robert Avery to be brigadier-generals by brevet in the United States

Army; and Robert Avery to be major-general by brevet in the United States Army, reported favorably thereon.

Whereupon

Resolved, That the Senate advise and consent to the appointment of said persons, agreeably to their nominations.

Mr. Drake, from the Committee on Naval Affairs, to whom were referred this day the nominations of Thomas L. Tullock, jr., Henry C. Machett, and Levi M. Powell, reported favorably thereon.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

On motion by Mr. Conkling,

Ordered, That all resolutions of this day advising and consenting to appointments be transmitted forthwith to the President of the United States.

On motion by Mr. Hendricks,

Ordered, That the Committee on Military Affairs and the Militia be discharged from the further consideration of the nomination of Wm. P. Gould.

Whereupon

Resolved, That the Senate advise and consent to the appointment of William P. Gould, agreeably to the nomination.

Mr. Warner, from the Committee on Finance, to whom was referred, the 5th January, the nomination of George W. Colby, reported favorably thereon.

Mr. Warner, from the Committee on Finance, to whom were referred, the 5th of January, the nomination of James Hart, and the 19th of January nomination of Algernon S. Robertson, reported the same with the recommendation that they lie on the table.

Mr. Warner, from the Committee on Finance, to whom were referred, the 5th January, the nomination of Robert K. Byrd, Lloyd D. Waddell, and Thomas A. Burditt, reported adversely thereon.

Mr. Trumbull, from the Committee on the Judiciary, to whom were referred, the 18th December last, the nomination of Samuel T. Hooker, the 19th of January the nomination of W. W. Dickson, the 20th of January the nominations of Morgan L. Smith and Felix A. Reve, and the 19th of January the nominations of Delos Lake, Henry Z. Hayne, John H. Howe, Wm. F. Pidgeon, and Smith P. Young, reported the same with the recommendation that they lie on the table.

Mr. Williams, from the Committee on Public Lands, to whom were referred, the 28th of January, the nomination of Jeremiah D. Hyde, reported favorably thereon.

Resolved, That the Senate advise and consent to the appointment, agreeably to his nomination.

Mr. Pomeroy, from the Committee on Public Lands, to whom was referred, this day, the nomination of J. C. Stoever, reported favorably thereon.

The Senate proceeded to consider the nomination of James N. Marks; and

On the question, Will the Senate advise and consent to the appointment of James N. Marks?

On motion by Mr. Edmunds that the said nomination lie on the table,

It was determined in the negative, { Yeas 11
{ Nays 26

On motion by Mr. Trumbull,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Cattell, Corbett, Cragin, Edmunds, Ferry, Frelinghuysen, Morrill of Me., Trumbull, Warner, Williams, Wilson.

Those who voted in the negative are.

Messrs. Abbott, Cameron, Chandler, Cole, Conkling, Conness, Drake, Fessenden, Harlan, Hendricks, Howe, McDonald, Osburn, Patterson of N. H., Pomeroy, Ramsey, Rice, Robertson, Ross, Sawyer, Spencer, Sprague, Thayer, Tipton, Van Winkle, Willey.

The question recurring, Will the Senate advise and consent to the appointment of James N. Marks?

It was determined in the affirmative.

So it was

Resolved, That the Senate advise and consent to the appointment of James N. Marks, agreeably to the nomination.

The Senate, by unanimous consent, proceeded to consider the nomination of Thomas S. Wilson and William D. Spaulding; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate proceeded to consider the nomination of Samuel T. Maddox; and

Resolved, That the Senate advise and consent to the appointment of Samuel T. Maddox, agreeably to the nomination.

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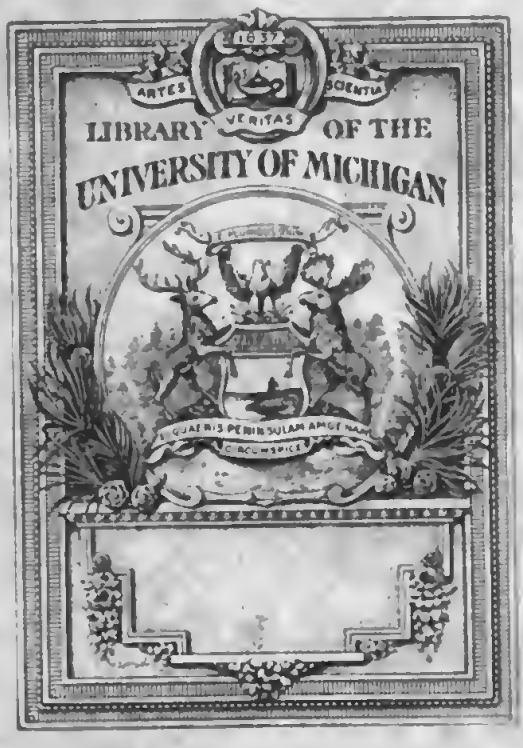
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